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Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 13]

PART 729—PEANUTS

Subpart—Allotment and Marketing Quota Regulations for Peanuts of the 1959 and Subsequent Crops

MISCELLANEOUS AMENDMENTS

I. *Basis and purpose.* (a) The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), to revise the Allotment and Marketing Quota Regulations for Peanuts of the 1959 and Subsequent Crops (23 F.R. 8515, 24 F.R. 2677, 6803, 9611, 25 F.R. 897, 8065, 10567, 26 F.R. 1344, 2523, 4631, 8560, 10209, 11816). The amendment (1) simplifies the procedures provided for in the regulations under which buyers, dryer operators, and shellers of peanuts must keep records, make reports, and transmit penalties, (2) requires that drafts, money orders or checks be drawn payable to the "Agricultural Stabilization and Conservation Service, USDA" rather than to the "Treasurer of the United States", (3) adds to the regulations the basic penalty rate for the 1962 crop of peanuts, (4) amends § 729.1061, as amended, to eliminate the requirement that a written request must be made before records may be examined and to add to the persons who are authorized to examine records, and (5) adds a new § 729.1065 to give State committees additional authority over county committees.

(b) Public notice of intention to issue this amendment was given (27 F.R. 7794) in accordance with the provisions of the Administrative Procedure Act (5 U.S.C. 1001–1011) and due consideration has been given to recommendations reviewed in response to such notice. The marketing of peanuts from the 1962 crop is now underway and it is essential that the basic penalty rate for such crop be announced immediately and that the simplified procedure for keeping records and making reports be made available at the earliest possible date. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impractical and contrary to the public interest and the provisions of this amendment shall become effective upon this document being published in the FEDERAL REGISTER.

II. The Allotment and Marketing Quota Regulations for Peanuts of the 1959 and Subsequent Crops (23 F.R. 8515, 24 F.R. 2677, 6803, 9611, 25 F.R. 897, 8065, 10567, 26 F.R. 1344, 2523, 4631, 8560, 10209, 11816), as amended, are hereby amended as follows:

A. The wording contained in the first paragraph of § 729.1011 which reads "As used in §§ 729.1010 through 729.1064" is hereby revised to read "As used in §§ 729.1010 through 729.1065".

B. Section 729.1011(p), as amended, is hereby amended by adding a new subparagraph (3) to read as follows:

§ 729.1011 Definitions.

* * * * *

(p) * * *

(3) *"Seed shelling card".* Form MQ–76–1 Peanuts, "Peanut Seed Shelling Within Quota Marketing Card" (hereinafter referred to as a "seed shelling card"), may be issued for each farm for which a within quota card is returned to the ASCS county office showing a quantity of peanuts retained on such farm. The seed shelling card authorizes the shelling or late marketing of such retained peanuts without payment of penalty.

C. Section 729.1011(z)(1) is hereby amended to read as follows:

(z) "Sales Memorandum" means:

(1) Form MQ–70 Peanuts, "Sales Memorandum and Record of Peanuts Dried or Shelled For Producers", which shall be used to record and report purchases and the drying or shelling of farmers stock peanuts in accordance with §§ 729.1057 and 729.1058.

D. Section 729.1043(f) is hereby amended to read as follows:

§ 729.1043 Issuance of marketing cards.

* * * * *

(f) Indebted to U.S.: If any producer on a farm is indebted to the United States and such indebtedness is listed on the county debt record, any marketing card (except a seed shelling card) issued for such farm shall bear the notation "Indebted to U.S." and show the amount and type of the indebtedness, the name of the debtor, and any other data considered necessary to facilitate proper handling of the debt. A notation showing "PMQ" (peanut marketing quota) as the type of indebtedness shall constitute notice to any peanut buyer that until the amount of penalty (including accrued interest) is paid, the United States has a lien on the crop of peanuts with respect to which the penalty was incurred and on any subsequent crop of peanuts subject to marketing quotas in which the person liable for payment of the penalty has an interest. A notation showing indebtedness of any type other than "PMQ" shall constitute notice to any peanut buyer that, subject to prior liens, the net proceeds, to the extent of the indebtedness shown, from any price support loan or purchase settlement due the debtor must be paid to the "Agricultural Stabilization and Conservation Service, USDA". The acceptance and use of a marketing card bearing a notation and information concerning indebtedness to the United States shall not constitute a waiver by the indebted producer of any right to contest the validity of such indebtedness by appropriate administrative appeal or legal action.

E. Section 729.1049, as amended, is amended by deleting paragraph (c) thereof and amending paragraph (a) to read as follows:

§ 729.1049 Identification of marketings.

(a) Each marketing of peanuts, except marketings on a seed shelling card, from a farm shall be recorded by the buyer or his representative on a marketing card issued for the farm on which the peanuts were produced, if such marketing card is presented to the buyer by the producer at the time the peanuts are marketed. Except to the extent provided in § 729.1058 for marketings of shriveled, damaged, split, or broken kernels, each marketing of peanuts without a marketing card shall be subject to a penalty at the basic penalty rate (see § 729.1050(a)): *Provided, however,* That a person who is not engaged in the business of buying peanuts for movement into the regular channels of trade shall not be required to make a record on a marketing card, or otherwise, or to report purchases of peanuts from producers if the county office manager has determined that it would be administratively impracticable to require such buyer to execute forms, keep the records and make the buyer's reports as required by these regulations, in which case the producer marketing the peanuts shall be responsible for reporting each marketing to the ASCS county office and for the payment of any penalty.

F. Section 729.1050(a), as amended, is hereby amended to read as follows:

§ 729.1050 Rate of penalty.

(a) The basic penalty rate shall be equal to 75 percent of the support price for peanuts for the marketing year. The penalty rates, as previously determined under these regulations, for the years 1959 through 1961 are as follows:

Marketing year	Penalty rate per pound	FEDERAL REGISTER citation
	Cents	
1959–60	7.2	24 F.R. 6803
1960–61	7.5	25 F.R. 8065
1961–62	8.3	26 F.R. 8560

The basic support price for peanuts for the marketing year beginning August 1, 1962, and ending July 31, 1963, is $221.40 per ton or 11.07 cents per pound and, therefore, the basic penalty rate for the 1962 crop of peanuts is 8.3 cents per pound.

§ 729.1053 [Amendment]

G. Section 729.1053, as amended, is hereby amended to revise the first sentence of paragraph (a) to read as follows:

(a) A draft, money order, or check drawn payable to the "Agricultural Stabilization and Conservation Service, USDA" may be used to pay any penalty, other indebtedness, or interest thereon, but any such draft or check shall be received subject to collection and payment at par.

H. Section 729.1056(a) is hereby amended to read as follows:

§ 729.1056 Producers records and reports.

(a) *Report on marketing card.* Each marketing card (except a seed shelling card) issued with respect to a farm on which peanuts are produced shall be returned to the ASCS county office as soon as marketings from the farm are completed or at such earlier time as the county office manager may request. Failure to so return a marketing card shall constitute failure to account for disposition of peanuts marketed from the farm in the event that an account, satisfactory to the county committee, of such disposition is not furnished otherwise, and an allotment subsequently established for such farm shall be reduced as provided in § 729.1023.

I. Section 729.1057(b), as amended, is hereby amended to read as follows:

§ 729.1057 Records and reports of buyers and others.

* * * * *

(b) *Recording and reporting purchases of farmers stock peanuts.* Buyers will record and report each purchase of farmers stock peanuts from producers on a sales memorandum as follows:

(1) Form MQ–94 Peanuts, may be used by buyers to record purchases of farmers stock peanuts which have been inspected by the Inspection Service. Buyers are not required to send a copy of MQ–94 Peanuts to the ASCS State office or to the Inspection Service.

(2) Form MQ–70 Peanuts (i) may be used by buyers to record and report purchases of farmers stock peanuts which are not inspected by the Inspection Service, (ii) shall be used to record and report purchases of farmers stock peanuts which are not identified by valid marketing cards, (iii) shall be used by buyers to record and report to the ASCS State office for the State in which the buyer's place of business is located the quantity of peanuts purchased from a producer (farmers stock basis) when such quantity exceeds the quantity shown on the peanut seed shelling card by more than the larger of 100 pounds or 10 percent, (iv) shall be used when peanuts are identified by a Form MQ–70 Peanuts pursuant to § 729.1058, and (v) shall be used to report to the ASCS State office the correction of errors.

(3) Excess Penalty Memoranda, which are attached to each peanut excess penalty marketing card, shall be used to report to the ASCS State office data with respect to the purchase of peanuts which are identified on a peanut excess penalty marketing card. Such memoranda, along with a remittance covering the penalty due on purchases of excess peanuts, shall be forwarded to the ASCS State office by means of Form MQ–80 Peanuts, "Buyer's Transmittal of Sales Memoranda and Marketing Penalty", not later than the end of the second week following the week in which the peanuts were marketed.

(4) Buyers own form may be used to record or to report data with respect to the purchase of any peanuts (except peanuts which are identified by a peanut excess penalty marketing card, or peanuts which are not identified by a valid marketing card) provided such form is serially numbered and is executed to show required data.

(5) The Inspection Service copy of Form MQ–70 Peanuts or a copy of the buyer's own form executed in connection with the purchase of peanuts which are not inspected by the Inspection Service shall be transmitted to the Inspection Service. This may be done by delivering the forms direct to an Inspection Service employee at the buying point or by mailing the form daily to the Inspection Service Office serving the State in which the buyer's business is located. Such offices are listed below:

State and City

Alabama: Federal-State Inspection Service, Post Office Box 1368, Dothan, Ala.

Florida and Georgia: Federal-State Inspection Service, Post Office Box 1577, Albany, Ga.

Arizona, California, Louisiana, Mississippi, New Mexico and Texas: Federal-State Inspection Service, Post Office Box 111, Harlingen, Texas.

Oklahoma, Arkansas and Missouri: Mr. Chester Dotson, 122 State Capitol Building, Oklahoma City 5, Okla.

South Carolina: Mr. C. H. Langford, Post Office Box 9504, Columbia 1, South Carolina.

North Carolina: Federal-State Inspection Service, Post Office Box 709, Williamston, North Carolina.

Tennessee: Federal-State Inspection Service, Post Office Box 9039, Melrose Station, Nashville 4, Tenn.

Virginia: Mr. Charles Holland, 306 Culloden Street, Post Office Box 1130, Suffolk, Va.

If the peanut buyer's business is located in a State not listed above, Forms MQ–70 Peanuts or copies of the buyer's own form shall be submitted to the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington 25, D.C.

(6) The original of each Form MQ–70 Peanuts executed for purchases of peanuts which are not identified by valid marketing cards shall be transmitted to the ASCS State office along with excess penalty memoranda and remittances for penalty as provided in subparagraph (3) of this paragraph. The original of each Form MQ–70 Peanuts executed for peanuts purchased pursuant to § 729.1058 shall be transmited to the ASCS State office pursuant to § 729.1058.

J. Section 729.1057(d), as amended, is hereby amended to read as follows:

(d) *Record of peanuts dried by artificial means.* Any person who dries farmers stock peanuts by artificial means for a producer shall maintain records showing the following information. Form MQ–70 Peanuts or the dryer operator's own form may be used for this purpose.

(1) Name of State and county wherein is located the farm on which such peanuts were produced;

(2) Crop year and type of peanuts dried;

(3) Name and address of the person for whom peanuts were dried;

(4) Name and address of the dryer operator; and

(5) Quantity (weight after drying, farmers stock basis) and date drying is completed.

K. Section 729.1058, as amended, is hereby amended to read as follows:

§ 729.1058 Record and report of and penalty on peanuts shelled for producers.

(a) *Record of shelling.* Any person who shells peanuts for a producer shall maintain records of the shelling of each lot of peanuts showing the following information. Form MQ–70 Peanuts or the seed sheller's own form may be used for this purpose.

(1) The date the peanuts were shelled;

(2) The serial number of the marketing card, peanut seed shelling card or Form MQ–70 Peanuts presented by the producer to identify the peanuts;

(3) The name and address of the producer for whom the peanuts were shelled;

(4) The name of the State and county wherein is located the farm on which the peanuts were produced;

(5) The quantity of peanuts, farmers stock basis, shelled for the producer; and

(6) If any quantity of shelled peanuts is retained by the sheller, the quantity of shelled peanuts retained and the quantity returned to the producer.

(b) *Identification and reports required.* Any person who shells peanuts for a producer shall require identification, collect penalties and make reports in accordance with this paragraph.

(1) *Peanuts produced on farms on which the final acreage does not exceed the effective farm allotment.* Any person who shares in peanuts produced on a farm on which the final acreage does not exceed the effective farm allotment will be furnished a within quota marketing card or a seed shelling card by the ASCS county office to be used to identify peanuts to be shelled. Except as provided in subparagraph (6) of this paragraph, the sheller is not required to make a report of the shelling of peanuts so identified to either the ASCS State office or the Inspection Service. Also, it is not required that the sheller report the purchase of the shriveled, damaged, split or broken kernels which result from shelling peanuts so identified.

(2) *Peanuts produced on farms on which the final acreage exceeds the effective farm allotment.* Any person who shares in peanuts produced on a farm on which the final acreage exceeds the effective farm allotment who desires to have peanuts shelled may use an excess penalty marketing card to identify

such peanuts, in which case a marketing penalty at the converted rate shown on such card will be due on any quantity of peanuts, farmers stock basis, retained by the sheller. Upon request, the ASCS county office manager will furnish any such person a Form MQ–70 Peanuts partially executed to show the name and address of the producer to whom issued, the serial number of the marketing card issued for the farm, the farm serial number, the name of the State and county wherein is located the farm on which the peanuts were produced, the converted penalty rate and a quantity of peanuts determined by the county office manager to be reasonable for seed purposes on the producer's farm. The marketing quota penalty shall not be applicable to the shriveled, damaged, split or broken kernels which result from shelling not more than the quantity of peanuts shown on such Form MQ–70 Peanuts.

(3) *Action by sheller if Form MQ–70 Peanuts is presented.* If the producer presents a Form MQ–70 Peanuts partially executed by the county office manager as prescribed in subparagraph (2) of this paragraph, the seed sheller shall execute the form by entering, in the spaces provided, his name and address, the date of shelling, the type of peanuts shelled, the quantity of farmers stock peanuts shelled, the quantity of shelled peanuts returned to the producer, the quantity of shelled peanuts retained by the seed sheller and the farmers stock equivalent (see § 729.1011(v) for factor to convert shelled peanuts to farmers stock equivalent) of the quantity of shelled peanuts retained by the seed sheller. If the quantity of peanuts shelled for the producer exceeds the quantity determined by the county office manager as reasonable for seed purposes on the farm and the seed sheller retains the shriveled, damaged, split and broken peanut kernels which result from shelling the producer's peanuts, he shall enter the following additional information on the form: The quantity of kernels (expressed as farmers stock equivalent) that were produced from shelling the quantity of peanuts in excess of the seed requirement for the farm and retained by the sheller. The penalty due, which shall be remitted by the sheller, shall be computed by multiplying the converted penalty rate for the farm by the farmers stock equivalent of all peanuts retained by the sheller except the shriveled, damaged, split and broken peanut kernels which result from shelling the quantity of peanuts determined by the county office manager as reasonable for seed purposes on the farm.

(4) *Action by sheller if excess penalty card is presented.* If the producer presents an excess penalty marketing card, the seed sheller shall report the transaction on a Form MQ–70 Peanuts. He shall enter thereon the same information as required by subparagraph (3) of this paragraph and, in addition, he shall enter the name and address of the producer, the marketing card serial number, the farm serial number, the name of the State and county wherein is located the farm on which the peanuts were produced, the converted penalty rate, and the amount of penalty. The penalty due, which shall be remitted by the sheller, shall be computed by multiplying the converted penalty rate for the farm by the farmers stock equivalent of all peanuts retained by the sheller.

(5) *Action by sheller if no identification is presented.* If the producer does not identify his peanuts with a marketing card or a Form MQ–70 Peanuts partially executed by the county office manager in accordance with this paragraph, the seed sheller shall record the transaction on a Form MQ–70 Peanuts by entering the same information as required by subparagraph (3) of this paragraph and, in addition, he shall enter the name and address of the producer, the name of the State and county wherein is located the farm on which the peanuts were produced, the basic penalty rate, and the amount of penalty. The penalty due, which shall be remitted by the sheller, shall be computed by multiplying the basic penalty rate by the farmers stock equivalent of all peanuts retained by the sheller.

(6) *Reports.* For peanuts shelled in accordance with subparagraph (1) of this paragraph, the seed sheller shall report on Form MQ–70 Peanuts to the ASCS State office for the State in which his place of business is located, the quantity of peanuts shelled for a producer (farmers stock equivalent) and the quantity returned to the producer (shelled basis) when the quantity shelled exceeds the quantity shown on a seed shelling card by more than the larger of 100 pounds or 10 percent. Form MQ–70 Peanuts shall be completed to show the name of the State and county in which such peanuts were produced, crop year, type of peanuts, marketing card and farm serial numbers, name and address of the producer and seed sheller, quantity shelled (farmers stock equivalent) and quantity returned to the producer (shelled basis), and date of shelling. For peanuts shelled in accordance with subparagraphs (3), (4), and (5) of this paragraph the seed sheller shall report each such transaction by sending to the ASCS State office for the State in which his place of business is located a copy of each Form MQ–70 Peanuts along with a remittance for any penalty due. Reports made in accordance with this subparagraph shall be made within two weeks after the shelling of peanuts is generally complete in the area, except that the report shall be made periodically throughout the shelling season if this becomes necessary for timely remittance of any penalties. Penalties shall be remitted to the State office within two weeks following the end of the week in which such penalties become due. Penalties become due when the peanuts are marketed.

L. Section 729.1061, as amended, is hereby amended to read as follows:

§ 729.1061 Examination of records and reports.

The Deputy Administrator, the Director, the State Executive Director or any person authorized by any one of such persons, and any auditor of the Internal Audit Division or any agent of the Investigation Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture is authorized to examine any records pertinent to the peanut allotment and marketing quota program. Upon request from any such person, any person who dries farmers stock peanuts by artificial means for a producer, any buyer, warehouseman, processor, or common carrier of peanuts, any broker or dealer in peanuts, any agent marketing peanuts for a producer or acquiring peanuts for a buyer or dealer, any peanut growers cooperative association, any person engaged in the business of cleaning, shelling, crushing or salting peanuts or manufacturing peanut products, or any person owning or operating a peanut-picking or threshing machine shall make available for examination such books, papers, records, accounts, correspondence, contracts, documents and memoranda as are under his control which any person hereby authorized to examine records has reason to believe are relevant to any matter under investigation in connection with enforcement of the act and the regulations in this part.

M. A new § 729.1065 is added to read as follows:

§ 729.1065 Supervisory Authority of ASC State Committee.

The State committee may take any action these regulations require or permit a county committee to take which has not been taken by the county committee. The State committee may also, as to any action required or permitted by the regulations in this part, (a) correct, or require a county committee to correct, any action taken by the county committee, or (b) require a county committee to withhold taking any action not approved by the State committee.

(Secs. 359, 373, 375, 55 Stat. 90, as amended, 52 Stat. 65, 66, as amended; 7 U.S.C. 1359, 1373, 1375)

NOTE: The record keeping and reporting requirements of these regulations have been approved by and subsequent reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 11, 1962.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62–9237; Filed, Sept. 14, 1962; 8:49 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 30]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.330 Valencia Orange Regulation 30.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 13, 1962.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., September 16, 1962, and ending at 12:01 a.m., P.s.t., September 23, 1962, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 550,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 13, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62–9318; Filed, Sept. 14, 1962; 11:31 a.m.]

[Lemon Reg. 39]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.339 Lemon Regulation 39.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 11, 1962.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., September 16, 1962, and ending at 12:01 a.m., P.s.t., September 23, 1962, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 302,250 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 13, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62–9270; Filed, Sept. 14, 1962; 8:51 a.m.]

[Avocado Order 1, Amdt. 3]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation

for such effective time; and good cause exists for making the provisions hereof effective not later than September 17, 1962. This regulation revises certain of the maturity requirements applicable to the shipment of avocados; it is necessary that such revised requirements be made effective at the time and for the periods specified herein in order to effectuate the declared policy of the act; compliance with this amended regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof and this amendment relieves restrictions beginning September 17, 1962, by permitting unrestricted shipments of Arue avocados and earlier shipments of mature sizes of avocados of the West Indian type not listed in Table I of this regulation (§ 915.301, as amended; 27 F.R. 5135, 6705, 8264).

(b) *It is therefore ordered,* That the provisions of paragraph (b) of § 915.301 (27 F.R. 5135, 6705, 8264) are hereby amended as follows:

I. In subparagraph (2), the sentence preceding Table 1 is revised by deleting therefrom the following: "no avocados of the Arue variety may be handled unless the individual fruit in each lot of such avocados weighs at least 14 ounces; and".

II. In Table 1, the dates appearing in Columns 2 and 4 applicable to the Booth 10 variety are revised so that after such revision the portion of such table applicable to Booth 10 variety shall read as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Booth 10	10–15–62	16 oz. 3 19/16 in.	11–12–62				

III. In subdivision (iv) of subparagraph (7), as date "September 24, 1962" is deleted and the date "September 17, 1962" is substituted therefor.

(c) The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., September 17, 1962.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 12, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62–9243; Filed, Sept. 14, 1962; 8:50 a.m.]

PART 927—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Determination Relative to Establishment of Operating Reserve and to Carryover of Unexpended Funds

Notice was published in the August 22, 1962, issue of the FEDERAL REGISTER (27 F.R. 8356) that consideration was being given to a proposal for establishing an operating reserve and that unexpended assessment funds in the amount of $2,500, which are in excess of expenses incurred during the fiscal period ended June 30, 1962, be placed in such reserve, to be used by the Control Committee in accordance with the provisions of the marketing agreement and Order No. 927, as amended (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Control Committees, established pursuant to the said amended marketing agreement and order, it is hereby determined that:

§ 927.202 Reserve fund.

(a) It is necessary and appropriate to establish and maintain an operating reserve fund in an amount not to exceed approximately one fiscal period's expenses to be used in accordance with the provision of section 927.42 of the amended marketing agreement and this part, and

(b) Assessments collected for the period ended June 30, 1962, were in excess of the expenses for such period and the committee is hereby authorized to place $2,500 of such excess in said reserve.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 12, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62–9244; Filed, Sept. 14, 1962; 8:50 a.m.]

PART 990—CENTRAL CALIFORNIA GRAPES FOR CRUSHING

Desirable Free Tonnage for 1962–63 Crop Year

Notice was published in the August 28, 1962 issue of the FEDERAL REGISTER (27 F.R. 8596) regarding a likely need for volume regulation and a proposal to establish for the 1962–63 crop year (July 1, 1962–June 30, 1963) a desirable free tonnage of grapes for crushing of 1,167,000 tons at 22 degrees Balling, which handlers may freely acquire and use in such crop year. The proposal was based on the recommendations and marketing policy report of the Grape Crush Administrative Committee and other available information, in accordance with the applicable provisions of the marketing agreement and Order No. 990 (7 CFR Part 990), regulating the handling of Central California grapes for crushing, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons opportunity to submit written data, views, or arguments pertaining to the proposal. None was received within the time prescribed therefor.

Consideration has been given to all relevant matters presented, including the data and information in said notice and the Committee's recommendations and marketing policy report, submitted pursuant to § 990.47, and other available information. On the basis of this consideration, the likely need for volume regulation in the 1962–63 crop year is hereby concurred in and the desirable free tonnage should be established as proposed.

Therefore, the desirable free tonnage of grapes for crushing is hereby established as follows:

§ 990.204 Desirable free tonnage.

The desirable free tonnage of grapes for crushing which handlers may freely acquire and use during the 1962–63 crop year (July 1, 1962–June 30, 1963) is 1,167,000 tons at 22 degrees Balling.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and this part provide that the desirable free tonnage of grapes for crushing established for a particular crop year shall represent all such grapes which handlers may freely acquire and use in such year and the 1962–63 crop year began on July 1, 1962; (2) the desirable free tonnage established for a particular crop year is, in accordance with said marketing agreement and this part, to serve as the basis on which volume regulation may be made effective limiting the volume of grapes for crushing which handlers may freely acquire and use during the crop year, and the Grape Crush Administrative Committee is required by § 990.53 to conclude not later than September 18, 1962, as to the tonnage of grapes to be crushed, and any need for volume regulation through the establishment of free and surplus percentages, during the 1962–63 crop year; (3) no obligation is imposed on handlers by the mere establishment of such desirable free tonnage; and (4) any volume regulation that may become effective will involve the establishment of free and surplus percentages in another rule making proceeding.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 12, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-9245; Filed, Sept. 14, 1962; 8:50 a.m.]

PART 990—CENTRAL CALIFORNIA GRAPES FOR CRUSHING

Exemption of Certain Grape Varieties From Volume Regulation for 1962–63 Crop Year

Notice was published in the August 28, 1962, issue of the FEDERAL REGISTER (27 F.R. 8596) regarding a likely need for volume regulation and a proposal to exempt certain varieties of grapes for crushing from any volume regulation which may be established for the 1962–63 crop year (July 1, 1962–June 30, 1963) under the marketing agreement and Order No. 990 (7 CFR Part 990), hereinafter referred to collectively as the "order", regulating the handling of Central California grapes for crushing. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proposal was based on a determination and recommendation of the Grape Crush Administrative Committee and other available information that the varieties of grapes hereinafter set forth and produced in the nine-county area covered by the order are of such small production and restricted usage or in such short supply relative to demand that the exemption of such varieties from any volume regulation for the 1962–63 crop year would not tend to affect adversely the attainment of the purposes of the order.

The notice afforded interested persons opportunity to submit written data, views, or arguments pertaining to the proposal. During the time prescribed therefor, a number of producers and handlers submitted written data, views, on arguments requesting that the Carignane variety of grapes be added to those grape varieties for which exemption from volume regulation was recommended by the Committee and proposed in the notice. Their comment included views to the effect that the 1962 production of Carignanes, a wine variety of grapes, is in short supply relative to demand and their exemption from volume regulation would not tend to affect adversely the attainment of the purposes of the order; that such exemption would not contribute materially to any surplus grape condition; that producers of table and raisin variety grapes should bear the burden of surplus; that application of a setaside percentage to Carignanes would place producers of this variety in the nine-county area covered by the order in a lower net return position than of Carignane producers outside the area and of producers of table and raisin variety grapes generally; and that it would discourage new plantings of Carignanes for the production of table wines in the nine-county area which are needed to supply the increasing demand for table wines.

The Carignane variety of grapes has the largest production of any wine variety grape in California and hence does not qualify for exemption from volume regulations on the basis of such small production and restricted usage set forth in § 990.58(b). If the Carignane variety is to be so exempted, it must qualify on the only other basis set forth in § 990.58(b), which is that this variety is in such short supply relative to demand that its exemption would not tend to affect adversely the attainment of the purposes of the order. Only the written data, views, or arguments submitted on this basis are pertinent to this consideration. In regard to this basis, it was stated in the recommended decision (26 F.R. 6094) which was adopted in the final decision (26 F.R. 6984) that an example is a situation where the supply of a variety is such as to cause the demand therefor, in terms of actual or indicated prices, to rise materially above average crushing price levels of grapes for the season (e.g., as a result of frost damage reducing supply). In view of this criterion of price relationship and since field prices for Carignanes of the 1962 production have not yet been established, it is necessary to examine, in light of historical and other available data, the outlook for the 1962 price relationship between Carignanes and average crushing price levels so as to determine whether or not the prerequisite supply-price determination for exemption of Carignanes can be made.

For the five years preceding 1961, the season average prices paid by vintners to producers for Carignane grapes fluctuated narrowly around season average crushing prices for all varieties, ranging for most sales from $5.90 per ton below to $3.40 per ton above. In the 1961 season, Carignane production in the nine counties was slightly over 89,000 tons, whereas normal production exceeds 100,000 tons. The short supply relative to demand was evident early in the 1961 season in the prices for Carignane grapes in the Central Valley. The season average prices for such Carignane grapes exceeded the season average price for all grapes crushed by about $26 per ton; and such variety obviously met the criteria for exemption. In view of the prospective supply of Carignane grapes in 1962, it is not possible to conclude that prices for Carignanes, if exempt, will be outside the normal range of deviation from, or materially above, the season average crushing price for all grapes. Therefore, Carignanes should not be exempted from any volume regulation established for the 1962–63 crop year.

After consideration of all relevant matters presented, including a review of the Committee's determination and recommendation as to potential varieties eligible for exemption, other matters in the notice, and the data, views, and arguments submitted pursuant to the notice, the varieties of grapes for crushing hereinafter set forth in § 990.205 Exemption are determined to be of such small production and restricted usage or in such short supply relative to demand that their exemption from such volume regulation as may be established for the 1962–63 crop year will not tend to affect adversely the attainment of the purposes of the order.

Therefore, the following varieties of grapes for crushing are, pursuant to § 990.58(b), hereby exempted as follows:

§ 990.205 Exemption.

The following varieties of grapes for crushing are exempt from any volume regulation established for the 1962–63 crop year (July 1, 1962–June 30, 1963): Aleatico, Alicante Ganzin, Almission, Alvarelhao, Barbera, Beclan, Boaldoce, Catarratto, Emerald Riesling, Experimental No. 100, Experimental No. 101, F–5, Franken Riesling,[1] French Colombard, Freisa, Grand Noir, Grey Riesling, Green Hungarian, Grignolino, Inzolia, Johannisberger Riesling,[2] Lenoir, Malvasia Bianca, Malvoisie, Mataro, Mondeuse,[3] Muscat Bordolaise, Muscat Canelli,[4] Niagara, Nebbiolo, Pagadebito, Pedro Ximenes, Pedro Zumbom, Petit Bouschet, Petite Sirah,[5] Peverella, Royalty, Rubired, Ruby Cabernet, S–26, St. Emilion,[6] St. Macaire, Salvador, Sauvignon, Sauvignon Vert,[7] Scarlet, Semillon, Souzao, Tinta Cao, Tinta Madera, Touriga, Trousseau, Valdepenas, Verdona, Walschriesling, White No. 2, and Zinfandel.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003 (c)) in that: (1) In accordance with the relevant provisions of said marketing agreement and this part, the exemption of any variety of grapes for crushing from any volume regulation established for a particular crop year applies to all grapes of such variety handled during such year; and (2) the current crop year began July 1, 1962, and the exemption of the varieties of grapes for crushing listed in § 990.205 will automatically apply from that date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 12, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-9246; Filed, Sept. 14, 1962; 8:50 a.m.]

[1] Franken Riesling includes Sylvaner.

[2] Johannisberger Riesling includes White Riesling.

[3] Mondeuse includes Crabb's Black Burgundy and Refosco.

[4] Muscat Canelli includes Muscat de Frontignon.

[5] Petite Sirah includes Durif.

[6] St. Emilion includes Trebbiano and Ugni Blanc.

[7] Sauvignon Vert includes Colombard.

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7785]

PART 13—PROHIBITED TRADE PRACTICES

Manco Watch Strap Co., Inc., et al.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1900 *Source or origin:* § 13.1900–35 *Foreign product as domestic.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Modified cease and desist order, Manco Watch Strap Co., Inc., et al., Jersey City, N.J., Docket 7785, July 26, 1962]

In the Matter of Manco Watch Strap Co., Inc., Topps Products Corp., Corporations, and Samuel Mandel, Marvin Mandel, Morris Mandel and Eugene Mandel, Individually and as Officers of Said Corporations

Order modifying—to conform with the provisions of Trade Practice Rules for the Metallic Watch Band Industry, effective July 30, 1962—desist order of Mar. 13, 1962 (27 F.R. 6828, July 19, 1962), requiring disclosure of the foreign origin of metal expansion watch bands imported from Japan and Hong Kong and sold under the trade name "Topps".

The modified order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents, Manco Watch Strap Co., Inc., and Topps Products Corp., corporations, and their officers, and respondents Samuel Mandel, Marvin Mandel, Morris Mandel, and Eugene Mandel, individually and as officers of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of imported merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Offering for sale, selling, or distributing any such product packaged, or mounted in a container, or on a display card, without disclosing the country or place of foreign origin of the product, or substantial part thereof, on the front or face of such packaging, container, or display card, so positioned as to clearly have application to the product so packaged or mounted, and of such degree of permanency as to remain thereon until consummation of consumer sale of the product, and of such conspicuousness as to be likely observed and read by purchasers and prospective purchasers making casual inspection of the product as so packaged or mounted.

It is further ordered, That the allegations of the complaint, insofar as they charge as a deceptive practice that the respondents' unpackaged watch bands fail to have adequately identified thereon the country or place of origin, are herein and hereby dismissed for lack of evidence:

It is further ordered, That respondents Manco Watch Strap Co., Inc., Topps Products Corp., Samuel Mandel, Marvin Mandel, Morris Mandel, and Eugene Mandel shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 26, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62–9222; Filed, Sept. 14, 1962; 8:46 a.m.]

[Docket C–207]

PART 13—PROHIBITED TRADE PRACTICES

Mission Fruit & Vegetable Co.

Subpart—Discriminating in price under section 2, Clayton Act—Payment or acceptance of commission, brokerage or other compensation under 2(c): § 13.820 *Direct buyers.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, J. Parker Lampert doing business as Mission Fruit & Vegetable Company, Mission, Tex., Docket C–207, Aug. 21, 1962]

In the Matter of J. Parker Lampert, an Individual Doing Business as Mission Fruit & Vegetable Company

Consent order requiring Mission, Tex., packers of citrus fruit to cease violating section 2(c) of the Clayton Act by paying a commission or discount to brokers and other direct buyers purchasing for their own accounts for resale.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That the respondent, J. Parker Lampert, an individual doing business as Mission Fruit & Vegetable Company, his agents, representatives and employees, directly or through any corporate or other device, in connection with the sale of citrus fruit or fruit products in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from: Paying, granting, or allowing, directly or indirectly, to any buyer, or to anyone acting for or in behalf of, or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of citrus fruit or fruit products to such buyer for his own account.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: August 21, 1962.

By the Commission.

[SEAL] JOSEPH N. KUZEW, *Acting Secretary.*

[F.R. Doc. 62–9221; Filed, Sept. 14, 1962; 8:46 a.m.]

[Docket C–208]

PART 13—PROHIBITED TRADE PRACTICES

Mystery Publishing Co. and Excellent Publications, Inc.

Subpart—Discriminating in price under section 2, Clayton Act—Payment for Services or Facilities for Processing or Sale Under 2(d): § 13.825 *Allowances for services or facilities.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Mystery Publishing Company et al., New York, N.Y., Docket C–208, Aug. 24, 1962]

In the Matter of Mystery Publishing Company, a corporation; and Excellent Publications, Inc., a corporation

Consent order requiring two New York City publishers of "Dude" magazine, and "Gent", "Real", and "See" magazines, respectively, with a common national distributor, to cease violating section 2(d) of the Clayton Act by making individually negotiated payments or allowances not proportionally equal, to certain operators of chain retail outlets in railroad, airport, and bus terminals, and outlets in hotels and office buildings, while not making such allowances available on proportionally equal terms to drug chains, grocery chains, and other newsstands.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Mystery Publishing Company and Excellent Publications, Inc., both corporations, their respective officers, employees, agents and representatives, directly or through any corporate or other device, in connection with the distribution, sale or offering for sale of publications, including magazines, in commerce, as "commerce" is defined in the amended Clayton Act, do forthwith cease and desist from: Paying or contracting for the payment of an allowance or anything of value to, or for the benefit of, any customer as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the handling, offering for sale, sale or distribution of publications, including magazines published, sold or offered for sale by respondents, unless such payment or consideration is affirmatively offered and otherwise made available on proportionally equal terms to all of their other customers competing with such favored customer in the dis-

tribution of such publications, including magazines.

The word "customer" as used above shall be deemed to mean anyone who purchases from a respondent, acting either as principal or agent, or from a distributor or wholesaler where such transaction with such purchaser is essentially a sale by such respondent, acting either as principal or agent.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 24, 1962.

By the Commission.

[SEAL] JOSEPH N. KUZEW,
Acting Secretary.

[F.R. Doc. 62-9223; Filed, Sept. 14, 1962; 8:47 a.m.]

[Docket C-206]

PART 13—PROHIBITED TRADE PRACTICES

Superior Insulating Tape Co. et al.

Subpart—Delivering short measure: § 13.680 *Delivering short measure.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1720 *Quantity.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Superior Insulating Tape Company et al., St. Louis, Mo., Docket C-206, Aug. 15, 1962]

In the Matter of Superior Insulating Tape Company, a Corporation, and J. A. Schweig and Julius S. Schweich, Individually and as Officers of Said Corporation

Consent order requiring St. Louis manufacturers to cease representing falsely that their rolls of SI brand plastic tape—sold in rolls ranging from ½ inch wide and 10 feet long to ¾ inch wide and 60 feet long—contained more tape than was the fact through mounting the tape on a cardboard spool part of which was of the same color and appearance as the tape while the center was of a contrasting color, usually orange.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondents, Superior Insulating Tape Company, a corporation, and its officers, and J. A. Schweig and Julius S. Schweich, individually and as officers of said corporation and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, or sale, of SI brand plastic tape, or any other product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, by means of packaging, or in any other manner, that its products are larger in size, such as length, width, area, weight, thickness, or quantity, or in any other manner, than is the actual fact.

2. Engaging in any practice or plan which will provide retailers of their merchandise with the means of misrepresenting its merchandise as set forth in Paragraph 1 above.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 15, 1962.

By the Commission.

[SEAL] JOSEPH N. KUZEW,
Acting Secretary.

[F.R. Doc. 62-9224; Filed, Sept. 14, 1962; 8:47 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 112—DOMINIC NUCLEAR TEST SERIES, 1962

Danger Area; Johnston Island

On September 10, 1962, the Department of Defense and the Atomic Energy Commission issued public notice of the reestablishment of the danger area surrounding Johnston Island effective September 22, 1962, in connection with the DOMINIC Nuclear test series.

To avoid any unnecessary delay or interruption of that test activity, and to protect the health and safety of the public, the Atomic Energy Commission has amended Part 112 of its regulations. This amendment which reestablishes the danger area encompassing Johnston Island will be effective September 22, 1962.

In view of the importance of these tests to the national defense, the potential hazard to the health and safety of individuals who enter the danger area, and the early date planned for tests within the area surrounding Johnston Island, the Atomic Energy Commission has found that general notice of proposed rulemaking and the public procedure thereon would be contrary to the public interest; and that good cause exists why this amendment should be made effective without the customary period of notice.

Pursuant to the Adminstrative Procedure Act, Public Law 404, 79th Congress, 2d Session, the following rules are published as a document subject to codification, to be effective September 22, 1962:

Section 112.3(a) is hereby amended by adding the following subparagraph (3):

(3) That area established, effective September 22, 1962, until a date to be announced, encompassing Johnston Island and which is a circle of 470 nautical miles radius at the surface gradually extending to a circle of 700 nautical miles radius at an altitude to 30,000 feet and above, centered at the following geographic coordinates:

16°45′ N., and 169°31′ W.

(Sec. 161 p., 72 Stat. 337; 42 U.S.C. 2201(p). Interpret or apply secs. 2, 3, 91, 68 Stat. 921, as amended, 922, 936; 42 U.S.C. 2012, 2013, 2021)

Dated at Germantown, Md., this 12th day of September 1962.

For the Atomic Energy Commission.

A. R. LUEDECKE,
General Manager.

[F.R. Doc. 62-9271; Filed, Sept. 14, 1962; 8:51 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 9—Atomic Energy Commission

PART 9-53—NUMBERING AND DISTRIBUTION OF CONTRACTS AND ORDERS

Part 9-53—Numbering and Distribution of Contracts and Orders is hereby added.

Sec.

9-53.000 Scope of part.

Subpart 9-53.100—Contracts

9-53.101 Numbering of contracts.
9-53.102 Numbering modifications.
9-53.103 Maintenance of contract files.
9-53.104 Distribution of contracts.
9-53.105 Responsibility of the Office of the General Counsel.
9-53.106 Assigned contract prefixed.

Subpart 9-53.200—Orders

9-53.201 Numbering of orders (Form AEC-103).
9-53.202 Procurement office symbols.

AUTHORITY: §§ 9-53.000 to 9-53.202 issued under sec. 161, Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486.

§ 9-53.000 Scope of part.

This part sets forth the administrative requirements and procedures for numbering, distributing, and filing of contracts (including letter contracts, all appropriation transfers, and working fund agreements), modifications, thereto, and the numbering of orders (including purchase orders).

Subpart 9-53.100 Contracts

§ 9-53.101 Numbering of contracts.

(a) Contracts are numbered with approved letter symbols and serial numbers primarily for identification, audit, and filing purposes. Prefixes for AEC contract numbers for prime contracts executed by each AEC office, are set forth in § 9-53.106.

(b) The letters "AT" in each prefix denote the Atomic Energy Commission. The number before the hyphen within the parentheses designates the state or area within which the procurement office is located, and the number after the hyphen identifies the procurement office

within that state or area. The states were assigned numbers in numerical sequence according to the alphabetical listing before Alaska and Hawaii were admitted to the Union. Alaska will be assigned number 52 and Hawaii assigned number 53. The Headquarters office is assigned number 49 with separate numbers assigned to each of the procurement offices, the Pacific Area is assigned number 50, and Puerto Rico is assigned number 51. The number following the hyphen outside the parentheses is the serial number assigned to the contract. The numbering of contracts shall be centrally controlled by each office for which contract prefix numbers have been designated.

(c) If a prefix is required for an office not listed in this part, it should be requested from the Director, Division of Contracts, Headquarters.

(d) The numerical series for sales contracts begins with the serial number "1" prefixed by the same contract symbol as prescribed for other contracts plus the letter "S" following the parentheses. Thus, the first sales contract for the Albuquerque Operations Offices is numbered AT(29–2)S–1.

(e) A number shall be assigned to (1) all contracts, involving the payment of $20,000 or more on a single payment voucher, and (2) all multiple payment contracts regardless of amount. Contracts involving the payment of less than $20,000 on a single payment voucher may or may not be numbered depending upon the needs of the office. However, in case of doubt as to whether the amount to be paid under a contractual document is more or less than $20,000 or whether more than one payment will be necessary, the contract shall be numbered. Numbers are to be placed in the upper right-hand corner on the original and all copies of contracts or purchase orders and amendments and supplements thereto.

§ 9–53.102 Numbering modifications.

All modifications of contracts including change orders and supplemental agreements, shall be numbered in one continuous series, even though the contract is modified by both supplemental agreements and change orders. In the upper right-hand corner of the supplemental agreement or change order will be inserted "Modification No. __," followed by the words "Supplemental Agreement to" or "Change Order to." For example, if the first modification to a contract (definitive contract or letter contract) is by supplemental agreement, the heading will read:

Modification No. 1
Supplemental Agreement to
Contract No. ------

If the modification on the same contract is by change order, the heading will read:

Modification No. 2
Change Order to
Contract No. ------

§ 9–53.103 Maintenance of contract files.

Managers of Field Offices and Heads of Headquarters Divisions and Offices shall maintain a file or files of all contracts executed or administered by such office or division. The location and distribution of contract files in the various offices and divisions are the responsibility of the Managers or Directors concerned.

§ 9–53.104 Distribution of contracts.

(a) *Basic distribution.* Managers of Field Offices and Heads of Headquarters Divisions and Offices who execute or administer contracts are responsible for making the following minimum distribution of such contracts:

(1) One original signed copy to the contract files of the office administering the contract, except when such copy is required for distribution to the General Accounting Office under subparagraph (3) of this paragraph. In the later case a duplicate signed copy will be furnished to the office administering the contract;

(2) One signed copy to the contractor. However, in the case of formally advertised supply contracts, a purchase order or Notice of Award may be furnished in lieu of a signed copy of the contract;

(3) One original signed copy to the General Accounting Office when required by GAO Manuel, Title 7—4510.50. This regulation provides in part as follows:

> The original of all contracts with common carriers of all types for line-haul freight or passenger transportation services, including passenger charter agreements but excluding contracts for local storage, daryage, and hauling, shall be transmitted promptly, to the General Accounting Office, Service Subdivision, Transportation Division, Washington 25, D.C.

(4) One signed copy to the AEC field finance office servicing the procurement office and for Headquarters to the Central Accounts Branch, Office of the Controller.

(b) *Additional distribution of contracts.* Each Manager of Field Offices shall make the following additional distribution of conformed copies of contracts including modifications and amendments thereto within its jurisdiction:

(1) To the Office of the General Counsel, Headquarters, one copy of:

(i) Each contract, and each subcontract under a cost-type contractor, involving an expenditure (actual or estimated) of $1,000,000 or more;

(ii) Each engineering or architect-engineering prime contract, and each engineering or architect-engineering subcontract under a cost-type prime contract, involving an expenditure (actual or estimated) of $100,000 or more;

(2) To the appropriate Headquarters division or office, one copy of each contract sponsored by such division or office.

§ 9–53.105 Responsibilities.

The Office of the General Counsel, and the divisions or offices, Headquarters, receiving a copy of contracts pursuant to § 9–53.104(b), shall maintain a file of such contracts and shall be responsible for making the contract file available to Headquarters divisions and offices upon request.

§ 9–53.106 Assigned contract prefixes.

Prefixes for AEC contract numbers for each procurement office are set forth as follows:

Active offices	*Contract prefix*
San Francisco	AT(04–3)–
Canoga Park	AT(04–4)–
Grand Junction	AT(05–1)–
Rocky Flats	AT(05–2)–
Idaho Falls	AT(10–1)–
Chicago	AT(11–1)–
Paducah	AT(15–1)–
St. Louis	AT(23–2)–
Kansas City	AT(23–3)–
Nevada	AT(26–1)–
New Brunswick	AT(28–1)–
Princeton	AT(28–2)–
Los Alamos	AT(29–1)–
Albuquerque	AT(29–2)–
New York	AT(30–1)–
Brookhaven	AT(30–2)–
Schenectady	AT(30–3)–
Dayton	AT(33–1)–
Portsmouth	AT(33–2)–
Fernald	AT(33–4)–
Pittsburgh	AT(36–1)–
Savannah	AT(38–1)–
Oak Ridge	AT(40–1)–
Hanford	AT(45–1)–
Headquarters:	
Headquarters Services	AT(49–1)–
General Manager	AT(49–2)–
Military Application	AT(49–3)–
Production	AT(49–4)–
Reactor Development	AT(49–5)–
Raw Materials	AT(49–6)–
Biology and Medicine	AT(49–7)–
Research	AT(49–8)–
Special Projects	AT(49–9)–
Labor Relations	AT(49–10)–
Isotopes Development	AT(49–11)–
Information	AT(49–12)–
Personnel	AT(49–13)–
Space Nuclear Propulsion	SNP–
Eniwetok	AT(50–1)–
Puerto Rico	AT(51–1)–
Inactive offices	
Los Angeles	AT(04–1)–
Berkeley	AT(04–2)–
Hartford	AT(06–1)–
Wilmington	AT(07–1)–
Spoon River	AT(11–2)–
Iowa (Burlington)	AT(13–1)–
Ames	AT(13–2)–
Detroit	AT(20–1)–
Centerline	AT(20–2)–
Sandia	AT(29–3)–
Lockland	AT(33–3)–
Pantex	AT(41–1)–
Milwaukee	AT(47–1)–

Subpart 9–53.200—Orders

§ 9–53.201 Numbering of orders (Form AEC–103).

Procurement offices shall number all orders (Form AEC–103), including purchase orders, with a prefix symbol to identify the issuing office, followed by a symbol consisting of the last two digits

of the fiscal year of issuance. In addition, procurement offices may assign such secondary symbols and suffixes as may be required for their particular needs. This prefix shall precede the serial number assigned to the order on a chronological basis, starting with the number "1" at the beginning of each fiscal year. For example, the first order issued by Chicago Operations Office in the 19xx fiscal year would be "CH–XX–1."

§ 9–53.202 Procurement office symbols.

The symbols assigned for the purpose of identifying AEC procurement offices issuing orders are set forth as follows:

Procurement office	*Order prefix*
Albuquerque	AL–
Brookhaven	BH–
Chicago	CH–
Cincinnati	CI–
Canoga Park	CP–
Dayton	DA–
Fernald	FN–
Grand Junction	GJ–
Hanford	HA–
Idaho	ID–
Kansas City	KC–
Los Angeles	LA–
Los Alamos	LS–
New Brunswick	NB–
Nevada	NV–
New York	NY–
Oak Ridge	OR–
Pinellas	PA–
Paducah	PD–
Portsmouth	PM–
Pittsburgh	PT–
Puerto Rico	PR–
Rocky Flats	RF–
San Francisco	SAN–
Schenectady	SCH–
St. Louis	SL–
Savannah River	SR–
Headquarters Services	WA–

Effective date. These regulations are effective October 1, 1962, but may be observed earlier.

Dated at Germantown, Md., this 7th day of September 1962.

For the U.S. Atomic Energy Commission.

JOHN V. VINCIGUERRA,
Director, Division of Contracts.

[F.R. Doc. 62–9213; Filed, Sept. 14, 1962; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2772]

[Oregon 012450, 012523]

OREGON

Restorations From Power Withdrawals

1. The following-described lands in the Deschutes National Forest, or portions thereof, heretofor withdrawn for power purposes in Projects 829 or 1882, are hereby restored to such forms of disposition as may by law be made of national forest lands, subject to any valid existing rights and the requirements of applicable law, rules and regulations:

WILLAMETTE MERIDIAN

PROJECT 1882

T. 12 S., R. 9 E.,
Sec. 34, SW¼NE¼ and NW¼SE¼ of which 0.23 acre was withdrawn.

PROJECT 829

T. 21 S., R. 12 E.,
Sec. 33, SE¼NE¼;
Sec. 34, lot 2 and S½NW¼.

Containing 152.71 acres.

2. The Federal Power Commission vacated the withdrawals represented by these projects, on March 22, 1962, and April 23, 1962, respectively.

3. Until 10:00 a.m. on December 12, 1962, the lands shall be subject only to application by the State of Oregon for rights-of-way or materials sites as provided by section 24 of the Federal Power Act. They have been open to location under the United States mining laws as provided by the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

SEPTEMBER 11, 1962.

[F.R. Doc. 62–9226; Filed, Sept. 14, 1962; 8:47 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 1381]

LOCKHEED MODELS 49, 149, 649, 749, AND 1049 SERIES AIRCRAFT

Proposed Airworthiness Directive

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive superseding Amendment 23, 24 F.R. 4651, AD 59–7–4, as revised by Amendment 27, 24 F.R. 5289, which requires replacement of the nose landing gear actuating cylinder attach bolts at intervals not to exceed 10,000 flight hours on Lockheed 49, 149, 649, 749, and 1049 Series aircraft. Since failure of the bolts is more directly related to the number of landings made, a new directive requiring compliance in terms of the number of landings is proposed.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before October 16, 1962, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

LOCKHEED. Applies to Models 49, 149, 649, 749, and 1049 Series aircraft.

Compliance required as indicated.

As a result of several fatigue failures of the nose landing gear actuating cylinder attach bolts, the following shall be accomplished within the next 1,000 landings after the effective date of this AD, unless already accomplished within the past 5,000 landings, and at periods thereafter not to exceed 6,000 landings following the initial compliance:

(a) The two forwards bolts, P/N 307403 and P/N 307404, which attach the forward end of the actuating cylinder to the fuselage structure via a universal joint, must be replaced with new bolts.

(b) The aft bolt, P/N 307402 which attaches the actuating cylinder rod to the drag strut pivot must be replaced with a new bolt.

NOTE: It will be necessary for operators to maintain a record of landings in order to ascertain compliance with this AD. If past records are unavailable, the number of landing prior to the effective date of this AD may be estimated by substituting one landing for each hour of time in service.

This supersedes Amendment 23, 24 F.R. 4651, AD 59–7–4, as amended by Amendment 27, 24 F.R. 5289.

Issued in Washington, D.C., on September 10, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62–9216; Filed, Sept. 14, 1962; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circular Public Debt Series—No. 16–62]

4 PERCENT TREASURY BONDS OF 1972

Offering of Bonds

SEPTEMBER 10, 1962.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for bonds of the United States, designated 4 percent Treasury Bonds of 1972:

(1) At 99.30 percent of their face value in exchange for 3½ percent Treasury Certificates of Indebetedness of Series A–1963, dated February 15, 1962, due February 15, 1963;

(2) At 99.70 percent of their face value in exchange for 2⅝ percent Treasury Notes of Series A–1963, dated April 15, 1958, due February 15, 1963;

(3) At 99.40 percent of their face value in exchange for 3¼ percent Treasury Notes of Series E–1963, dated November 15, 1961, due February 15, 1963;

(4) At 99.40 percent of their face value in exchange for 3¾ percent Treasury Certificates of Indebtedness of Series B–1963, dated May 15, 1962, due May 15, 1963;

(5) At 99.40 percent of their face value in exchange for 3¾ percent Treasury Notes of Series D–1963, dated May 15, 1961, due May 15, 1963; or

(6) At 98.80 percent of their face value in exchange for 4 percent Treasury Notes of Series B–1963, dated April 1, 1959, due May 15, 1963.

Interest adjustments as of September 15, 1962, and the cash payments due to the subscriber on account of the issue prices of the new bonds will be made as set forth in Section IV hereof. Subscriptions are invited up to an amount not to exceed $3,000,000,000, or thereabouts. If subscriptions exceed this amount they will be received subject to allotment. In addition to the amount offered for public subscription, exchange subscriptions from Government Investment Accounts will be allotted in full. Delivery of the new bonds will be made on September 20, 1962. The books will be open only on September 10 through September 12, 1962, for the receipt of subscriptions for this issue.

2. In addition to the offering under this circular, holders of the eligible securities are offered the privilege of exchanging all or any part of such securities for 3¾ percent Treasury Notes of Series A–1967, which offering is set forth in Department Circular, Public Debt Series—No. 15–62, issued simultaneously with this circular.

3. Nonrecognition of gain or loss for Federal income tax purposes. Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86–346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the eligible securities enumerated in paragraph one of this section solely for the 4 percent Treasury Bonds of 1972. Section 1031(b) of the Code, however, requires recognition of any gain realized on the exchange to the extent that money is received by the security holder in connection with the exchange. To the extent not recognized at the time of the exchange, gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. *Description of bonds.* 1. The bonds will be dated September 15, 1962, and will bear interest from that date at the rate of 4 percent per annum, payable on a semiannual basis on February 15 and August 15, 1963, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature August 15, 1972, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $500, $1,000, $5,000, $10,000, $100,000, and $1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington 25, D.C. Banking institutions generally may submit subscriptions for account of customers, provided the names of the customers are set forth in such subscriptions, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks and Government Investment Accounts. Subscriptions from all others must be accompanied by the deposit of any of the eligible securities enumerated in paragraph one of section I hereof, in the face amount of not less than 10 percent of the amount of bonds applied for, not subject to withdrawal until after allotment. Registered securities submitted as deposits should not be assigned. After allotment detached assignment forms may be used as provided in section V hereof.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment for the face amount of bonds allotted hereunder must be made on or before September 20, 1962, or on later allotment, and may be made only in a like face amount of securities of the six issues enumerated in paragraph one of Section I hereof. In every case where payment is not so completed, the payment with application up to 10 percent of the bonds allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States.

2. 3½ percent certificates of indebtedness of Series A–1963. Coupons dated February 15, 1963, must be attached to the certificates when surrendered. Accrued interest from August 15 to September 15, 1962 ($2.94837 per $1,000) plus the payment ($7.00 per $1,000) due to the subscriber on account of the issue price of the bonds will be paid to subscribers following acceptance of the certificates.

3. 2⅝ percent notes of Series A–1963. Coupons dated February 15, 1963, must be attached to the notes when surrendered. Accrued interest from August 15 to September 15, 1962 ($2.21128 per $1,000) plus the payment ($3.00 per $1,000) due to the subscriber on account of the issue price of the bonds will be paid to subscribers following acceptance of the notes.

4. 3¼ percent notes of Series E–1963. Coupons dated February 15, 1963, must be attached to the notes in bearer form when surrendered. Accrued interest from August 15 to September 15, 1962 ($2.73777 per $1,000) plus the payment ($6.00 per $1,000) due to the subscriber on account of the issue price of the bonds will be paid to subscribers. Payments will be made in the case of bearer notes following their acceptance and in the case of registered notes following discharge of registration. In the case of registered notes, the payment will be made by check drawn in accordance with the assignments on the notes surrendered or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

5. 3¼ percent certificates of indebtedness of Series B–1963. Coupons dated November 15, 1962, and May 15, 1963, must be attached to the certificates when surrendered. Accrued interest from May 15 to September 15, 1962 ($10.86277 per $1,000) plus the payment ($6.00 per $1,000) due to the subscriber on account of the issue price of the bonds will be paid to subscribers following acceptance of the certificates.

6. 3¼ percent notes of Series D–1963. Coupons dated November 15, 1962, and May 15, 1963, must be attached to the notes in bearer form when surrendered. Accrued interest from May 15 to September 15, 1962 ($10.86277 per $1,000) plus the payment ($6.00 per $1,000) due to the subscriber on account of the issue price of the bonds will be paid to subscribers. Payments will be made in the case of bearer notes following their acceptance and in the case of registered notes following discharge of registration. In the case of registered notes, the payment will be made by check drawn in accordance with the assignments on the notes surrendered, or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

7. 4 percent notes of Series B–1963. Coupons dated November 15, 1962, and May 15, 1963, must be attached to the notes when surrendered. Accrued interest from May 15 to September 15, 1962 ($13.36957 per $1,000) plus the payment ($12.00 per $1,000) due to the subscriber on account of the issue price of the bonds will be paid to subscribers following acceptance of the notes.

V. *Assignment of registered securities.* 1. After allotment Treasury Notes of Series D–1963 and Series E–1963 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered to a Federal Reserve Bank or Branch or to the office of the Treasurer of the United States, Washington 25, D.C. The securities must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the securities surrendered in exchange, the assignment should be to "The Secretary of the Treasury for exchange for 4 percent Treasury Bonds of 1972"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 4 percent Treasury Bonds of 1972 in the name of _____"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 4 percent Treasury Bonds of 1972 in coupon form to be delivered to _____". Detached assignment forms may be used for the convenience of subscribers.

VI. *General Provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] DOUGLAS DILLON,
Secretary of the Treasury.

[F.R. Doc. 62–9239; Filed, Sept. 14, 1962; 8:50 a.m.]

[Dept. Circular Public Debt Series—No. 15–62]

3¾ PERCENT TREASURY NOTES OF SERIES A–1967

Offering of Notes

SEPTEMBER 10, 1962.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for notes of the United States, designated 3¾ percent Treasury Notes of Series A–1967:

(1) At 99.50 percent of their face value in exchange for 3½ percent Treasury Certificates of Indebtedness of Series A–1963, dated February 15, 1962, due February 15, 1963;

(2) At 99.90 percent of their face value in exchange for 2⅝ percent Treasury Notes of Series A–1963, dated April 15, 1958, due February 15, 1963;

(3) At 99.60 percent of their face value in exchange for 3¼ percent Treasury Notes of Series E–1963, dated November 15, 1961, due February 15, 1963;

(4) At 99.60 percent of their face value in exchange for 3¼ percent Treasury Certificates of Indebtedness of Series B–1963, dated May 15, 1962, due May 15, 1963;

(5) At 99.60 percent of their face value in exchange for 3¼ percent Treasury Notes of Series D–1963, dated May 15, 1961, due May 15, 1963; or

(6) At 99.00 percent of their face value in exchange for 4 percent Treasury Notes of Series B–1963, dated April 1, 1959, due May 15, 1963.

Interest adjustments as of September 15, 1962, and the cash payments due to the subscriber on account of the issue prices of the new notes will be made as set forth in section IV hereof. Subscriptions are invited up to an amount not to exceed $6,000,000,000, or thereabouts. If subscriptions exceed this amount they will be received subject to allotment. In addition to the amount offered for public subscription, exchange subscriptions from Government Investment Accounts will be allotted in full. Delivery of the new notes will be made on September 20, 1962. The books will be open only on September 10 through September 12, 1962, for the receipt of subscriptions for this issue.

2. In addition to the offering under this circular, holders of the eligible securities are offered the privilege of exchanging all or any part of such securities for 4 percent Treasury Bonds of 1972, which offering is set forth in Department Circular, Public Debt Series—No. 16–62, issued simultaneously with this circular.

3. Nonrecognition of gain or loss for Federal income tax purposes. Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86–346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the eligible securities enumerated in paragraph one of this section solely for the 3¾ percent Treasury Notes of Series A–1967. Section 1031(b) of the Code, however, requires recognition of any gain realized on the exchange to the extent that money is received by the security holder in connection with the exchange. To the extent not recognized at the time of the exchange, gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. *Description of notes.* 1. The notes will be dated September 15, 1962, and will bear interest from that date at the rate of 3¾ percent per annum, payable on a semiannual basis on February 15 and August 15, 1963, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature August 15, 1967, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in

denominations of $1,000, $5,000, $10,000, $100,000, $1,000,000, $100,000,000, and $500,000,000. Provision will be made for the interchange of notes of different denominations and of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington 25, D.C. Banking institutions generally may submit subscriptions for account of customers, provided the names of the customers are set forth in such subscriptions, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks and Government Investment Accounts. Subscriptions from all others must be accompanied by the deposit of any of the eligible securities enumerated in paragraph one of Section I hereof, in the face amount of not less than 10 percent of the amount of notes applied for, not subject to withdrawal until after allotment. Registered securities submitted as deposits should not be assigned. After allotment detached assignment forms may be used as provided in Section V hereof.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of notes applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment for the face amount of notes allotted hereunder must be made on or before September 20, 1962, or on later allotment, and may be made only in a like face amount of securities of the six issues enumerated in paragraph one of Section I hereof. In every case where payment is not so completed, the payment with application up to 10 percent of the notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States.

2. 3½ percent certificates of indebtedness of Series A–1963. Coupons dated February 15, 1963, must be attached to the certificates when surrendered. Accrued interest from August 15 to September 15, 1962 ($2.94837 per $1,000) plus the payment ($5.00 per $1,000) due to the subscriber on account of the issue price of the notes will be paid to subscribers following acceptance of the certificates.

3. 2⅝ percent notes of Series A–1963. Coupons dated February 15, 1963, must be attached to the notes when surrendered. Accrued interest from August 15 to September 15, 1962 ($2.21128 per $1,000) plus the payment ($1.00 per $1,000) due to the subscriber on account of the issue price of the new notes will be paid to subscribers following acceptance of the notes.

4. 3¼ percent notes of Series E–1963. Coupons dated February 15, 1963, must be attached to the notes in bearer form when surrendered. Accrued interest from August 15 to September 15, 1962 ($2.73777 per $1,000) plus the payment ($4.00 per $1,000) due to the subscriber on account of the issue price of the new notes will be paid to subscribers. Payments will be made in the case of bearer notes following their acceptance and in the case of registered notes following discharge of registration. In the case of registered notes, the payment will be made by check drawn in accordance with the assignments on the notes surrendered, or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

5. 3¼ percent certificates of indebtedness of Series B–1963. Coupons dated November 15, 1962, and May 15, 1963, must be attached to the certificates when surrendered. Accrued interest from May 15 to September 15, 1962 ($10.86277 per $1,000) plus the payment ($4.00 per $1,000) due to the subscriber on account of the issue price of the notes will be paid to subscribers following acceptance of the certificates.

6. 3¼ percent notes of Series D–1963. Coupons dated November 15, 1962, and May 15, 1963, must be attached to the notes in bearer form when surrendered. Accrued interest from May 15 to September 15, 1962 ($10.86277 per $1,000) plus the payment ($4.00 per $1,000) due to the subscriber on account of the issue price of the new notes will be paid to subscribers. Payments will be made in the case of bearer notes following their acceptance and in the case of registered notes following discharge of registration. In the case of registered notes, the payment will be made by check drawn in accordance with the assignments on the notes surrendered, or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

7. 4 percent notes of Series B–1963. Coupons dated November 15, 1962, and May 15, 1963, must be attached to the notes when surrendered. Accrued interest from May 15 to September 15, 1962 ($13.36957 per $1,000) plus the payment ($10.00 per $1,000) due to the subscriber on account of the issue price of the new notes will be paid to subscribers following acceptance of the notes.

V. *Assignment of registered securities.* 1. After allotment Treasury Notes of Series D–1963 and Series E–1963 in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington 25, D.C. The securities must be delivered at the expense and risk of the holder. If the new notes are desired registered in the same name as the securities surrendered in exchange, the assignment should be to "The Secretary of the Treasury for exchange for 3¾ percent Treasury Notes of Series A–1967"; if the new notes are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 3¾ percent Treasury Notes of Series A–1967 in the name of _____"; if new notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 3¾ percent Treasury Notes of Series A–1967 in coupon form to be delivered to _____". Detached assignment forms may be used for the convenience of subscribers.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] DOUGLAS DILLON,
Secretary of the Treasury.

[F.R. Doc. 62–9240; Filed, Sept. 14, 1962; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

REGIONAL DIRECTORS AND FIELD PERSONNEL

Delegations of Authority

Chapter 4, Part 4 of the Administrative Manual of the Bureau of Sport Fisheries and Wildlife is amended to authorize the regional directors to grant written permission to Bureau employees in their regions to testify in any judicial or administrative proceeding concerning matters related to the business of the Government or the contents of official records.

Paragraph B of section 4 AM 4.6 is amended to read as follows:

B. *Testimony of employees.* Regional directors may grant written permission to their subordinates to testify in any judicial or administrative proceeding concerning matters related to the business of the Government or the contents

of official records. This authority shall not be redelegated. Bureau employees are authorized to testify in any judicial or administrative proceeding concerning land-condemnation cases arising within the Bureau or those initiated by a State which involve Federal Aid Funds, and violations of Federal or State laws which Bureau employees have been authorized to enforce. All of the authority in this section shall be exercised in accordance with the provisions of 43 CFR 2.20 and 6 AM 3.

ABRAM V. TUNISON,
Acting Director.

SEPTEMBER 11, 1962.

[F.R. Doc. 62-9225; Filed, Sept. 14, 1962; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Farmer Cooperative Service

[Farmer Cooperative Service Order 4, Revised]

OFFICIALS TO ACT AS ADMINISTRATOR OF FARMER COOPERATIVE SERVICE

Authority and Order of Precedence

SEPTEMBER 3, 1962.

Farmer Cooperative Service Order 4, dated September 1, 1961, is amended to read as follows:

The following are authorized in the order named to execute and perform all functions, powers, authority, and duties pertaining to the office of Administrator of Farmer Cooperative Service in the event that I am unable to act by reason of absence or for any other cause:

Martin A. Abrahamsen,
Deputy Administrator.

J. Kenneth Samuels, Director,
Marketing Division.

Homer J. Preston, Director,
Purchasing Division.

Job K. Savage, Jr., Director,
Management Services Division.

JOSEPH G. KNAPP,
Administrator.

[F.R. Doc. 62-9212; Filed, Sept. 14, 1962; 8:45 a.m.]

Office of the Secretary

MISSISSIPPI AND WEST VIRGINIA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87-128 (7 U.S.C. 1961) it has been determined that in the hereinafter named counties in the States of Mississippi and West Virginia natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSISSIPPI

Jones.
Simpson.
Warren.

WEST VIRGINIA

Morgan

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1963, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 11th day of September 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62-9238; Filed, Sept. 14, 1962; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

STATE ASSISTANCE EXPENDITURES

Federal Percentage

Promulgation of Federal percentage under Title XI of the Social Security Act for purposes of State assistance expenditures under Title I, IV, X, XIV, or XVI.

Pursuant to section 1101(a)(8) of the Social Security Act, as amended (42 U.S.C. 1301(a)(8)),

And it having been found that the three most recent calendar years for which satisfactory data are available from the Department of Commerce as to the per capita income of each State and of the United States are the years 1959, 1960, and 1961,

The Federal percentage, as indicated below, for purposes of Federal financial participation in State assistance expenditures under Title I, IV, X, XIV, or XVI of said Act, for each of the fifty States and the District of Columbia, as determined pursuant thereto and on the basis of said income data, are hereby promulgated for each of the eight quarters in the period beginning July 1, 1963, and ending with the close of June 30, 1965:

State	Federal percentage	State	Federal percentage
Alabama	65.00	Minnesota	56.42
Alaska	50.00	Mississippi	65.00
Arizona	58.75	Missouri	50.45
Arkansas	65.00	Montana	59.69
California	50.00	Nebraska	55.10
Colorado	50.00	Nevada	50.00
Connecticut	50.00	New Hampshire	56.38
Delaware	50.00	New Jersey	50.00
District of Columbia	50.00	New Mexico	65.00
Florida	60.69	New York	50.00
Georgia	65.00	North Carolina	65.00
Hawaii	50.00	North Dakota	65.00
Idaho	65.00	Ohio	50.00
Illinois	50.00	Oklahoma	65.00
Indiana	52.06	Oregon	50.00
Iowa	57.63	Pennsylvania	50.00
Kansas	56.63	Rhode Island	50.90
Kentucky	65.00	South Carolina	65.00
Louisiana	65.00	South Dakota	65.00
Maine	65.00	Tennessee	65.00
Maryland	50.00	Texas	61.45
Massachusetts	50.00	Utah	62.28
Michigan	50.00	Vermont	64.75
		Virginia	65.00
		Washington	50.00
		West Virginia	65.00
		Wisconsin	52.50
		Wyoming	50.00

Dated: August 27, 1962.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: September 11, 1962.

ANTHONY J. CELEBREZZE,
Secretary.

[F.R. Doc. 62-9241; Filed, Sept. 14, 1962; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13981 et al.; Order No. E-18782]

TRANS CARIBBEAN AIRWAYS AND EASTERN AIR LINES, INC.

Passenger Fares; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of September 1962. In the matter of New York-San Juan reduced group fares and "book-ticket fares" proposed by Trans Caribbean Airways and Eastern Air Lines, Inc., Dockets 13981 and 13982; in the matter of the Reopened Puerto Rico Passenger Fare Investigation, Docket 9523 et al.

By tariff revisions[1] Transportation Corporation of America (Trans Caribbean Airways) proposes to establish book-ticket fares and off-season reduced group fares applicable to New York-San Juan third class ("bus"-type) service in jet aircraft. The proposed book-ticket fares are of two types. One is a book-ticket fare of $490.00 and applies only to a person who purchases a book containing 10 one-way ticket coupons for transportation between the above-named pair of points. Such ticket coupons are valid for a period of 365 days from date of purchase and are nontransferable. The book-ticket fare of $490.00, or $49.00 per ticket, affords the passenger a discount of 15 percent below the one-way jet third class fare of $57.75, provided that he uses all 10 tickets.

The second book-ticket type fare proposed by Trans Caribbean is $202.00 and applies only to a person who purchases a book containing four one-way ticket coupons for transportation between New York-San Juan. The ticket coupons are nontransferable and are valid for a period of 180 days, except that they may not be used during the periods from June 15 through August 15, and from December 15 through January 15. The book-ticket fare of $202.00, or $50.50 per ticket, represents a discount of 12½ percent below the one-way jet third class fare of $57.75, provided all four tickets are used. Both types of book-ticket fares are marked to become effective September 15, 1962, and neither type contains an expiry date.

[1] To Transportation Corporation of America's C.A.B. No. 26 (Trans Caribbean Airways, Inc., series).

The off-season reduced group fares proposed by Trans Caribbean represent a reduction from present group fares offered by Eastern Air Lines, Inc., Pan American World Airways, Inc., and Trans Caribbean Airways applicable to jet third class ("bus"-type) service in this market. Trans Caribbean has filed two reduced group fare proposals. The first proposal is marked for September 15 effectiveness and offers various reduced fares, depending on group size, the lowest one-way fare being $45.00 applicable to groups of 125 or more. The second proposal is marked for September 21 effectiveness, cancels the first proposal, and offers further group fare reductions, the lowest one-way fare being $40.00 applicable to groups of 100 or more. The group fare proposals contain a December 15, 1962, expiry date.

Complaints requesting suspension and investigation of Trans Caribbean's proposed book-ticket fares and reduced group fares have been filed by Pan American and Eastern.[2] In substance the complaints allege that the proposed fares are unreasonably low, would be diversionary rather than creative, would not result in operating economies or other benefits to the carriers, and that the proposed book-ticket fares are unjustly discriminatory.

Trans Caribbean has presented no factual data in support of its proposals, other than the assertion that the fares will create new traffic. It does not appear that the book-ticket fares will generate new traffic, for the New York-San Juan market contains few surface commuters to be lured to air transportation. It also does not appear that any significant cost savings would result from book ticketing which would justify fare reductions to the book-ticket purchaser. The proposed reduced group fares result in yields as low as 2.81 cents per revenue passenger mile at a $45.00 fare and 2.5 cents per revenue passenger mile at a $40.00 fare. It appears that fares having such low yields may be unreasonable.[3] Accordingly, the Board finds that the proposed book ticket fares and reduced group fares may be unjust, unreasonable, unjustly discriminatory, unduly preferential or unduly prejudicial, and that they should be investigated. Moreover, in view of their possible unlawfulness, because of the present procedural status of an investigation concerning the level of third class fares in this market,[4] the Board will suspend the tariffs pending such investigation.

Eastern has filed a defensive reduced group fare plan. The Board will likewise suspend and investigate Eastern's proposal.

Pan American requests that any investigation ordered herein be consolidated with the pending investigation of third class mainland-San Juan fares in the Reopened Puerto Rico Passenger Fare Investigation, Docket 9523 et al. Since both proceedings involve third class fares in this market, it appears that consolidation will be conducive to the proper dispatch of the Board's business and to the ends of justice and will not unduly delay the proceedings. The proceedings will therefore be consolidated.

The Board finds that its action herein is necessary and appropriate in order to carry out the provisions and objectives of the Federal Aviation Act of 1958, particularly sections 204(a), 403, 404, and 1002 thereof.

Accordingly, it is ordered, That

1. An investigation is instituted to determine whether the fares and provisions in section 2 on 8th Revised Page 7 of Eastern Air Lines, Inc., C.A.B. No. 88, and the fares and provisions in Table B on 11th and 12th Revised Pages 7 and the fares and provisions on 2d Revised Page 7–A and Original Page 7–B of Transportation Corporation of America C.A.B. No. 26 (Trans Caribbean Airways, Inc., series) are, or will be, unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions;

2. Pending investigation, hearing, and decision, by the Board, the fares and provisions in section 2 on 8th Revised Page 7 of Eastern Air Lines, Inc., C.A.B. No. 88, and the fares and provisions in Table B on 11th and 12th Revised Pages 7 and the fares and provisions on 2d Revised Page 7–A and Original Page 7–B of Transportation Corporation of America C.A.B. No. 26 (Trans Caribbean Airways, Inc., series) are suspended and their use deferred to and including December 13, 1962, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The complaint of Pan American World Airways, Inc., in Docket 13982 and the letter of complaint of Eastern Air Lines, Inc., in Docket 13981 are granted;

4. Dockets 13981 and 13982 be consolidated with the remanded portion of Docket 9523 et al., which has been tentatively set for hearing before an Examiner of the Board of October 30, 1962; and

5. A copy of this order be filed with the aforesaid tariffs and a copy served upon the Commonwealth of Puerto Rico, Eastern Air Lines, Inc., Pan American World Airways, Inc., and Transportation Corporation of America, which are made parties to the investigation ordered herein.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62–9247; Filed, Sept. 14, 1962; 8:50 a.m.]

[2] Eastern's request for suspension and investigation is contained in a letter to the Board instead of the usual form of complaint. While use of a letter of complaint is not to be encouraged, the Board has in this instance considered the substance of Eastern's letter in reaching its decision herein.

[3] Trans Caribbean's reduced group fare proposals would also change group size requirements. The Board would have no objection to a reasonable adjustment of the group size requirements, so long as the lowest applicable fare is not less than $49.00.

[4] Reopened Puerto Rico Passenger Fare Investigation, Docket 9523 et al. has been tentatively set for hearing on October 30, 1962.

FEDERAL MARITIME COMMISSION

HAMBURG AMERICA LINE ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 7825–1, between Hamburg America Line and North German Lloyd, modifies an approved sailing and pooling arrangement of the parties in the trade between U.S. and Canadian ports and ports in Ireland, the United Kingdom and Europe. The purpose of this modification is (1) is provide for consultation and agreement on local rates within the scope of the sailing arrangement and through rates to final destinations elsewhere in the world where such rates are not subject to conference jurisdiction and (2) to delete the trade between Great Lakes, St. Lawrence River & Seaway, Newfoundland, and Canadian Maritime ports and ports of the United Kingdom and Bordeaux-Hamburg Range from the scope of the basic agreement.

Agreement 8359–1, between Hamburg America Line, North German Lloyd, and Ernst Russ, modifies an approved sailing arrangement of the parties in the trade between Great Lakes, St. Lawrence River & Seaway, Newfoundland, and Canadian Maritime ports and ports of the United Kingdom and Bordeaux-Hamburg range. The purpose of this modification is (1) to provide for consultation and agreement on local rates within the scope of the sailing arrangement and through rates to final destinations elsewhere in the world where such rates are not subject to conference jurisdiction and (2) to provide for the equal pooling of net freight revenue, derived from this trade, between the parties.

Interested parties may inspect these agreements and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 12, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62–9248; Filed, Sept. 14, 1962; 8:51 a.m.]

[Commission Order 1 (Amended)]

ORGANIZATION AND FUNCTIONS

SECTION 1. *Purpose.*

1.01 The purpose of this order is to describe the organization and functions of the Federal Maritime Commission.

SEC. 2. *Organization of the Federal Maritime Commission.*

2.01 *Establishment and composition of the Commission.* The Federal Maritime Commission was established as an independent agency by Reorganization Plan No. 7 of 1961, effective August 12, 1961. The Federal Maritime Commission is composed of five members, appointed by the President, by and with the consent of the Senate. The President designates one of such members to be the Chairman.

2.02 *Quorum.* Any three members in office constitute a quorum for the transaction of the business of the Federal Maritime Commission. The affirmative vote of any three Commissioners shall be sufficient for the disposition of any matters which may come before the Commission.

2.03 *Organizational components.* The Federal Maritime Commission has the following major organizational components:

1. Office of the Chairman of the Federal Maritime Commission;
2. Offices of the Members of the Federal Maritime Commission;
3. Office of the Secretary;
4. Office of the General Counsel;
5. Office of Hearing Examiners;
6. Office of International Affairs;
7. Executive Director:

(1) Office of Administrative Management;
(2) Office of Information Services;
(3) Bureau of Foreign Regulation;
(4) Bureau of Domestic Regulation;
(5) Bureau of Administrative Proceedings;
(6) Bureau of Investigation;
(7) Bureau of Financial Analysis;
(8) Offices of District Managers.

SEC. 3. *Lines of responsibility.*

3.01 The Office of the Secretary, Office of the General Counsel, Office of International Affairs, Office of Hearing Examiners and the Executive Director shall be responsible to, and report to, the Chairman, Federal Maritime Commission.

3.02 The Office of Administrative Management, Office of Information Services and the Bureau of Foreign Regulation, Bureau of Domestic Regulations, Bureau of Administrative Proceedings, Bureau of Investigation, Bureau of Financial Analysis and the Offices of the District Managers shall be responsible to, and report to, the Chairman, Federal Maritime Commission through the Executive Director.

SEC. 4. *General functions.*

4.01 The Federal Maritime Commission is responsible for administering the statutory functions and programs for the regulation of common carriers by water in the foreign and domestic offshore commerce of the United States and of other persons, under provisions of the Shipping Act, 1916, as amended, Merchant Marine Act, 1920, as amended, the Intercoastal Shipping Act, 1933, as amended, and other applicable statutes.

SEC. 5. *Specific functions of the organizational components of the Federal Maritime Commission.*

5.01 The Office of the Chairman of the Federal Maritime Commission executes and administers the activities of the Federal Maritime Commission; serves as the executive head of the Commission, presides at meetings of the Commission; and administers the policies of the Commission to its responsible officials, and through conferences with and reports from such officials assures the efficient discharge of their responsibilities.

5.02 The offices of the members of the Federal Maritime Commission are responsible, with the Chairman, for establishing the policies of the Commission; making decisions and determinations in the disposition of docketed cases and other matters within the jurisdiction of the Commission; and performing other duties as may be assigned under the provisions of Reorganization Plan No. 7 of 1961.

5.03 The Office of the Secretary is responsible for preparing agenda and dockets of matters subject to action by the Federal Maritime Commission and the preparation of minutes with respect to such actions; receiving and processing formal complaints and staff recommendations for investigation and hearing involving violations of the Shipping Act, 1916, as amended, and other applicable law, including the (a) reviewing of complaints for sufficiency and compliance with the Commission's rules of practice and procedure; (b) assigning official docket numbers to such complaints and orders of investigation and hearing; (c) serving copies of such complaints and orders upon the respondent(s); and (d) subsequent to Hearing Examiners' decisions or other disposition of cases by Hearing Examiners, ruling upon requests for enlargement of time for the filing of exceptions to decisions and replies thereto, including ruling upon late filings of exceptions or replies thereto, and processing all other motions and petitions to the Commission for action; issuing orders and notices of actions of the Commission; receiving formal communications, petitions, notices, documents and other instruments directed to the Chairman and/or the Commission and maintaining official files and records with respect thereto; authenticating instruments or documents of the Commission; administering oaths; and issuing subpoenas at the direction of the Commission.

5.04 The Office of the General Counsel serves as the law office of the Commission and provides legal counsel to the Commission and its staff; reviews and approves as to legality and/or prepares proposed Commission rules, regulations and orders; prepares drafts of proposed legislation and reports to Congressional committees; represents the Commission in all matters before the Courts.

5.05 The Office of Hearing Examiners holds hearings and renders decisions therein in formal rule-making and adjudicatory proceedings as provided in the Shipping Act, 1916, as amended and other applicable laws, in accordance with the Administrative Procedures Act and the Commission's rules of practice and procedure.

5.06 The Office of International Affairs through its staff serves as the official representative of the Federal Maritime Commission and assists the Chairman and the Commission in international conferences and meetings that involve the exercise of the Commission's functional responsibilities for the regulation of the waterborne foreign commerce of the United States; acts as liaison with the Department of State and with representatives of other governments, particularly the shipping attachés of the embassies of the maritime nations engaged in the foreign commerce of the United States, on matters concerning the application of the shipping statutes and the orders and regulations of the Commission to the United States and foreign nationals engaged in such foreign commerce; acts in a coordinating capacity on matters of the utmost importance with respect to protests or requests for relief made by foreign nationals or governments from the Commission's regulations and orders and participates in the preparation of appropriate recommendations thereon to the Commission; acts as liaison with representatives of the Department of State, other government agencies and foreign governments in effecting the resolution of foreign discriminatory practices against United States flag shipping pursuant to section 26, Shipping Act, 1916, as amended and section 19, Merchant Marine Act, 1920, as amended; coordinates the Commission's efforts with the Executive Director and his staff and other offices of the Commission in the solution of international shipping problems that develop in the administration and execution by the Commission of its regulatory responsibilities and authorities; conducts studies of and prepares replies to aide memoire officially presented to the United States Government by foreign maritime nations; serves in a consultative and advisory capacity to the Chairman and members of the Commission on shipping matters that involve foreign relations.

5.07 The Executive Director directs and administers the organizations and activities as enumerated in subsections 5.061 through 5.068 below; assists, advises, and consults with the Chairman and/or the Federal Maritime Commission in the performance of major executive functions; directs general administrative activities.

1. The Office of Administrative Management formulates recommendations and interprets budgetary policies and programs; collaborates with staff and operating officials in the development of fiscal plans; develops and presents budget requests and justifications; maintains control of funds; conducts studies of management practices, organizations, functions, authorities, and procedures for the improvement of operations; plans and administers personnel man-

agement activities; and provides administrative and office services.

2. The Office of Information Services issues information concerning the activities of the Federal Maritime Commission; prepares and edits press releases; and performs related informational services.

3. The Bureau of Foreign Regulation reviews the rates and practices of common carriers by water engaged in the foreign commerce of the United States and conferences of such carriers in accordance with the requirements of law and the rules, orders and regulations of the Commission; examines, processes, and as appropriate prepares recommendations to the Commission with respect to activities and practices of common carriers by water in the foreign commerce and conferences of such carriers and with respect to agreements and tariffs filed by such common carriers and conferences; reviews annual and special reports filed by common carriers by water and conferences in the foreign commerce of the United States, including minutes of conference meetings; initiates action involving the granting of special permissions to waive advance tariff filing requirements, or to depart from rules and regulations governing publication of tariffs; recommends the institution of rule-making proceedings, and where appropriate prepares drafts of rules and otherwise assists in the promulgation of rules; reviews informal complaints and protests against the practices, methods and operation of common carriers or conferences or against existing or proposed tariffs of such carriers or conferences and (1) requests the Bureau of Investigation to develop additional information and data through field investigations; (2) concludes complaints and protests by voluntary agreement between the parties or by administrative determination that the complaint or protest fails to represent a violation of the shipping statutes or the rules, or orders of the Commission; (3) prepares recommendations, collaborating with the Bureau of Administrative Proceedings, for formal action and proceedings by the Commission; and/or (4) refers, as appropriate, complaints and protests to the Bureau of Investigation for action by that bureau.

4. The Bureau of Domestic Regulation reviews the rates and practices of common carriers by water engaged in the domestic off-shore commerce of the United States and conferences of such carriers in accordance with the requirements of law and the rules, orders and regulations of the Commission; examines, processes, and as appropriate prepares recommendations to the Commission with respect to activities and practices of common carriers by water in the domestic off-shore commerce of the United States and conferences of such carriers, and with respect to agreements and tariffs filed by such common carriers, conferences, terminal operators, and freight forwarders; takes and/or initiates action involving the rejection of improper or incorrectly filed tariffs, granting of special permissions to waive the advance filing or publication requirements of tariffs, suspension of rates, and as appropriate the prescription of reasonable maximum and minimum rates; reviews annual and special reports filed by domestic off-shore carriers, conferences, terminal operators, and freight forwarders, including minutes of conference meetings; receives and processes applications for licensing of freight forwarders; recommends the institution of rule-making proceedings and, where appropriate drafts of rules and otherwise assists in the promulgation of rules; reviews informal complaints and protests against the practices, methods and operations of common carriers, terminal operators, freight forwarders or conferences or against existing or proposed tariffs of such common carriers, terminal operators, freight forwarders or conferences and (1) requests the Bureau of Investigation to develop additional information and data through field investigations; (2) concludes complaints and protests by voluntary agreement between the parties or by administrative determination that the complaint or protest fails to represent a violation of the shipping statutes or the rules or orders of the Commission; (3) prepares recommendations, collaborating with the Bureau of Administrative Proceedings, for formal action and proceedings by the Commission; and/or (4) refers, as appropriate, complaints and protests to the Bureau of Investigation for action by that bureau.

5. The Bureau of Administrative Proceedings acts as Hearing Counsel in all formal investigations, nonadjudicatory investigations, rule-making proceedings and any other proceedings initiated by the Federal Maritime Commission under the Shipping Act, 1916, and other applicable shipping acts; examines and cross-examines witnesses, prepares and files briefs, motions, exceptions and other legal documents and participates in oral argument before the hearing examiners and the Federal Maritime Commission; acts as Hearing Counsel, where intervention is permitted, in formal complaint proceedings initiated under section 22 of the Shipping Act; reviews and concurs in all recommendations of other bureaus recommending the institution of formal proceedings; prepares all orders, notices and other documents which institute formal or informal Commission proceedings; furnishes consultative and advisory services and otherwise assists other bureaus in formulating procedures to be followed in connection with investigations and/or formal Commission proceedings; serves, with the concurrence of the Executive Director, as requested by the General Counsel and under his direction in matters of court litigation by or against the Commission rising out of violations previously adjudicated by the Commission.

6. The Bureau of Investigation conducts investigations of the activities and practices of common carriers by water in the foreign and domestic off-shore commerce of the United States, conferences of such carriers, freight forwarders and terminal operators and other persons subject to the regulatory jurisdiction of the Federal Maritime Commission; conducts periodic field examinations of the activities, transactions and records of persons subjected to the shipping statutes; directs the field investigation staffs and plans and administers the field programs furnishing all technical direction to such staffs; prepares recommendations to the Commission, collaborating with appropriate other bureaus, for the referral of violations to the Department of Justice for its action, where field investigations have developed the existence of criminal violations of the shipping statutes (these cases are restricted to those where the cases are to be disposed of by the Department of Justice, rather than by the Commission through formal action and/or proceedings); develops methods and purposes of investigations referred to other investigative bodies of the executive, legislative or judicial branches of the government; coordinates, where appropriate, with appropriate officers of the State Department those investigations concerning common carriers by water under foreign flag operation engaged in the foreign commerce of the United States.

7. The Bureau of Financial Analysis is responsible for and makes recommendations with respect to annual and special financial reports to be submitted by common carriers and other persons subject to the Act, including accounting and reporting instructions; reviews annual and special reports, including reports of field audits performed by the Commission's staff; determines the justification of increased or lower rates of common carriers and other persons subject to the Act; directs field audit staffs and develops and administers a continuing program for the audit of the financial accounts and records of common carriers and other persons subject to the Federal Maritime Commission's regulatory authorities; develops and revises the accounting regulations of the Commission prescribing uniform systems of accounts for persons subject to the shipping statutes; develops cost formulas for application of the movement of water borne commerce in the domestic and foreign commerce of the United States; prepares reports and appears in rate proceedings and/or proceedings where rates and/or cost are a paramount issue; conducts studies, as appropriate, for the purpose of determining classes of depreciable property, depreciation percentages, replacement costs, reasonable overhead, etc.; prepares analytical reports for the consideration of the Commission and the staff in the processing and approval of tariffs and the approval of rates including studies of reasonable return on and current cost of capital both borrowed and invested; and conducts economic studies and prepares reports reflecting for trade areas under consideration the extent and nature of competition, commodities carried, the extent and effect of regularity of services, future commodity trends, etc.

8. The Offices of the Atlantic, Gulf, Pacific, and Great Lakes District Managers are responsible for the administrative coordination of all field programs and activities of the Federal Maritime Commission within their respective

areas, subject to national policies and program determinations, standard procedures, and supervision and technical direction of the appropriate office or bureau director in Washington, D.C.; in addition the District Managers shall be responsible for maintaining contact with persons within their areas who are subject to the shipping statutes and rules and regulations of the Commission; further the District Managers shall be available for consultation and advisory services requested by common carriers by water in the foreign and domestic offshore commerce of the United States, terminal operators, freight forwarders, conferences and shippers; finally the District Managers shall be responsible for performing other functions and duties as assigned by the Chairman, Executive Director and/or the Commission.

SEC. 6. *Delegation of authorities.*

6.01 Pursuant to section 105 of Reorganization Plan No. 7 of 1961, effective August 12, 1961, the Federal Maritime Commission hereby delegates the authorities set forth in sections 7, 8, 9, and 10 of this order to the officials designated therein, subject to the limitations prescribed in sections 6.02, 6.03, 6.04, and 6.05 of this order.

6.02 The delegatees shall exercise the authorities delegated herein in a manner consistent with the established policy of the Federal Maritime Commission.

6.03 The authorities delegated herein, except those delegated to the Chief Examiner, may not be exercised unless resolution of all legal questions and the approval of the form of all legal documents have been obtained, either concurrently or previously, from the General Counsel, or his designee.

6.04 The delegatees may in their discretion redelegate their authorities, unless otherwise restricted herein, to subordinate personnel under their direction, provided that such redelegation does not grant the recipient the authority to subsequent redelegation. The delegatees retain full responsibility for actions taken by their subordinates under any authority redelegated by them.

6.05 Notwithstanding the delegations contained herein, the Commission retains its discretionary right of review as provided in section 105(b) of Reorganization Plan No. 7 of 1961.

SEC. 7. *Specific authorities delegated to the Executive Director.*

7.01 Authority to accept or reject tariff filings of domestic off-shore carriers or common carriers in the foreign commerce of the United States, or conferences of such carriers for failure to meet the requirements of statute or the Commission's requirements, or for lack of completeness and clarity of the rules and regulations governing the tariff, or noncompliance with Special Permission or other order of the Commission.

7.02 Authority to approve Special Permission applications submitted by domestic off-shore carriers or carriers in the foreign commerce of the United States, or conferences of such carriers for relief from a statutory and/or Commission tariff requirement, provided the relief sought is limited to one or more of the following (a) permission to deviate from prescribed tariff format; (b) permission to correct a clerical or typographical error; (c) permission to postpone the effective date of a previously submitted filing; or (d) permission to cancel or withdraw protested matter.

7.03 Authority to review and determine the validity of alleged or suspected violations, exclusive of formal complaints, of the shipping statutes and rules and regulations of the Commission by common carriers by water in the domestic off-shore or the foreign commerce of the United States, terminal operators, freight forwarders, and other persons subject to the provisions of the shipping statutes; authority to determine corrective action necessary with respect to violations and conduct negotiations and obtain compliance by the violating parties, except where violations involve major questions of policy or major interpretations of statutes, or orders, rules and regulations of the Commission, or acts having material effect upon the commerce of the United States.

7.04 Authority to approve, within the framework of prescribed Commission policy and criteria, applications for licenses, and issue licenses to all persons, partnerships, corporations, or associations desiring to engage in ocean freight forwarding activities and to recommend denial to the Commission of those that appear to warrant denial of licenses.

7.05 Authority to develop, prescribe and administer programs to assure compliance with the provisions of the shipping statutes of all persons subject thereto, including without limitation those programs for: (a) The submission of regular and special reports, information and data; (b) the conduct of a plan for the field audit of activities and practices of common carriers by water in the domestic off-shore trade and the foreign commerce of the United States, conferences of such carriers, terminal operators, freight forwarders, and other persons subject to the shipping statutes; and (c) the conduct of rate studies.

7.06 Authority to approve, pursuant to section 15, Shipping Act, 1916, as amended, unprotested, cooperative working arrangements between independent ocean freight forwarders eligible to carry on the business of forwarding pursuant to section 44, Shipping Act, 1916, as amended.

SEC. 8. *Specific authorities delegated to the Special Permission Committee (Secretary, Executive Director, and the Director, Office of International Affairs).*

8.01 Authority, acting as the Special Permission Committee, to approve Special Permission applications for relief from a statutory and/or Commission tariff requirement for any relief sought beyond that delegated to the Executive Director in section 7.02 of this order.

8.02 In the absence of the Executive Director or the Secretary to whom this authority is delegated the Deputy Executive Director and the Assistant Secretary are authorized to act for their respective supervisors; in the absence of the Director, Office of International Affairs the Director, Bureau of Financial Analysis is authorized to act in his stead.

8.03 The Executive Director is designated as the Chairman of the Special Permission Committee with authority to prescribe rules for the conduct of Committee activities, including the recording of actions and recommendations.

SEC. 9. *Specific authorities delegated to the Secretary.*

9.01 Authority to approve applications for permission to practice before the Federal Maritime Commission and to issue admission certificates to approved applicants. (Approved by the Federal Maritime Commission effective June 28, 1962.)

SEC. 10. *General authority delegated to the Secretary, General Counsel, Chief Examiner, Director, Office of International Affairs and the Executive Director.*

10.01 Authority to exercise all functions and take all actions necessary, to direct and carry out the duties and responsibilities assigned to the Office of the Secretary, Office of the General Counsel, Office of Hearing Examiners, Office of International Affairs, and the Executive Director in accordance with their functional assignments as heretofore prescribed in this order.

SEC. 11. *Effect on other orders.*

11.01 This order supersedes Commission Order No. 1 (Amended) of January 16, 1962, Amendment 1, dated March 1, 1962, Amendment 2, dated June 1, 1962, Amendment 3, dated June 19, 1962, Amendment 4, dated July 2, 1962, and Supplement 1, dated June 7, 1962.

Dated: August 23, 1962.

THOS. E. STAKEM,
Chairman.

[F.R. Doc. 62-9249; Filed, Sept. 14, 1962; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP61-266]

INLAND GAS CO., INC.

Notice of Application and Date of Hearing

SEPTEMBER 10, 1962.

Take notice that on April 12, 1961, as supplemented on June 21, 1961, October 30, 1961, and July 11, 1962, The Inland Gas Company, Inc. (Applicant), 1409 Winchester Avenue, Ashland, Kentucky, filed in Docket No. CP61-266 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the acquisition of all the facilities presently owned and operated by Clinton M. Harbison, Trustee of the Inland Gas Distributing Company (Distributing Company), and Ben Williamson, Jr., Trustee of Inland Gas Corporation (Gas Corporation), and the operation of said facilities for the transportation of natural gas in interstate commerce to enable Applicant to sell natural gas directly to consumers in Ohio, Kentucky, and West Virginia who were previously

served by Distributing Company and Gas Corporation, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

The application states that Applicant was organized in conformity with an order of the United States District Court for the Eastern District of Kentucky dated June 1, 1959, pursuant to a Plan of Reorganization dated February 25, 1958, for the purpose of acquiring and operating the assets of Gas Corporation and Distributing Company. The proposed acquisition is intended to enable creditors of the two existing companies to be paid in full and to provide adequate working capital for future operations.

Gas Corporation was issued a certificate of public convenience and necessity on December 28, 1943, in Docket No. G–385 (4 FPC 467). Distributing Company was issued a certificate of public convenience and necessity on December 28, 1943, in Docket No. G–383 (4 FPC 468).

The facilities of Distributing Company consist of 16.61 miles of pipeline, service laterals, measuring stations, valves, and other pipeline appurtenances. The facilities of Gas Corporation consist of 108.39 miles of pipeline, service laterals, measuring stations, valves, and other pipeline appurtenances.

No new construction is proposed by the subject application.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 11, 1962, at 9:30 a.m, e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 130(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 1, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–9219; Filed, Sept. 14, 1962; 8:46 a.m.]

[Docket No. RI62–29]

JEANNE E. KERBS

Order Redesignating Proceeding, Substituting Respondent, and Requiring Filing of Undertaking To Assure Refund of Excess Charges

SEPTEMBER 10, 1962.

On July 23, 1962, Jeanne E. Kerbs (Kerbs) filed a motion requesting to be substituted as a party to the rate suspension proceeding of J. Wes Johnson d/b/a Tower Oil & Gas Company of Texas (Johnson) in Docket No. RI62–29. In support of her motion, Kerbs states that by assignment dated November 4, 1960, Kerbs acquired from Johnson the Hill & Hill Lease, which was the property covered by Johnson's FPC Gas Rate Schedule No. 4. Notice of succession and the related assignment were filed with the Commission on April 9, 1962. By the Commission's letter dated June 13, 1962, Kerbs was advised, inter alia, that Johnson's FPC Gas Rate Schedule No. 4 had been redesignated as Kerbs' FPC Gas Rate Schedule No. 3.

The proceeding in Docket No. RI62–29 involves a proposed rate increase filed by Johnson on August 7, 1961, and designated as Supplement No. 4 to Johnson's FPC Gas Rate Schedule No. 4, amounting to $872 annually, from 11.1056 cents per Mcf to 17.2295 cents per Mcf, which was suspended by the Commission's order issued herein on August 28, 1961, until February 7, 1962, and thereafter until it is made effective in the manner prescribed by the Natural Gas Act. Motion to make the suspended rate effective as required by section 4(e) of the Natural Gas Act was never filed by Johnson.

Kerbs' aforementioned motion filed on July 23, 1962, also moved that the suspended rate be made effective subject to refund. Section 154.102(a) of the Commission's regulations under the Natural Gas Act provides that the rates which become effective pursuant to the producer's required motion, shall be effective as of a date not earlier than the date of receipt of such motion by the Commission or the expiration of the suspension period, whichever is later. Accordingly, the 17.2295 cents per Mcf rate contained in Supplement No. 4 to Kerbs' FPC Gas Rate Schedule No. 3 may not become effective prior to July 23, 1962.

The Commision finds:

(1) It is necessary and proper in carrying out the provisions of the Natural Gas Act that Jeanne E. Kerbs be substituted for J. Wes Johnson, d/b/a Tower Oil & Gas Company of Texas, as Respondent in the rate suspension proceeding in Docket No. RI62–29, and that such proceedings be redesignated accordingly.

(2) The rate, charge and classification set forth in Supplement No. 4 to Kerbs' FPC Gas Rate Schedule No. 3 should be made effective as of July 23, 1962, upon the filing by Kerbs of her agreement and undertaking to assure refund of any amounts found by the Commission not justified.

The Commission orders:

(A) Jeanne E. Kerbs is hereby substituted for J. Wes Johnson, d/b/a Tower Oil & Gas Company of Texas in the rate proceeding in Docket No. RI62–29, and said proceeding is accordingly redesignated.

(B) The rate, charge and classification set forth in Supplement No. 4 to Kerbs' FPC Gas Rate Schedule No. 3 is effective as of July 23, 1962.

(C) Within 30 days of the issuance of this order Kerbs shall execute an acceptable agreement and undertaking and tender it for filing with the Commission. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of filing, such agreement and undertaking shall be deemed to be satisfactory and to have been accepted for filing. The effective rate as set forth in Supplement No. 4 to Kerbs' FPC Gas Rate Schedule No. 3 shall be charged and collected commencing July 23, 1962, subject to further orders of the Commission in this proceeding.

(D) Kerbs shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–9217; Filed, Sept. 14, 1962; 8:45 a.m.]

[Docket No. CP62–194 etc.]

MEDINA GATHERING CORP. ET AL.

Notice of Consolidation

SEPTEMBER 10, 1962.

Medina Gathering Corporation, Docket No. CP62–194; Benedum-Trees Oil Company, Operator, et al., Docket No. CI62–694; Benedum-Trees Oil Company, et al., Docket No. CI62–695; Paul Benedum, Docket No. CI62–696; Great Lakes Natural Gas Co., Inc., Docket No., CI62–730; The Grantley Company, Docket No. CI62–731; Paul L. Britton, Jr., Operator, et al., Docket No. CI62–732; Atlas Exploration Company, Operator, Docket No. CI62–760; Worldwide Petroleum Corporation, Docket No. CI62–761; Russell McConnell, Docket No. CI62–762; Flanigan Bros., Operator and Agent, et al., Docket No. CI62–999.

On May 18, 1962, a notice of application was issued by the Secretary of the Commission setting the application of Medina Gathering Corporation (Medina) in Docket No. CP62–194[1] for abridged hearing on June 26, 1962. On June 12, 1962, a notice was issued by the Secretary of the Commission (27 F.R. 5752), postponing hearing in Docket CP62–194 to a date to be fixed by further notice.

[1] Medina proposes to sell gas purchased from the above producers to Tennessee Gas Transmission Company for winter peaking service.

On August 7, 1962, the applications of the respective producers [2] named above to sell gas to Medina were noticed for formal hearing on October 2, 1962.

The matters involved in the above-named dockets are related, and accordingly, the producer dockets specified in the notice of applications dated August 7, 1962, and Docket No. CP62–194 (Medina Gathering Corporation) are hereby consolidated for purposes of a hearing which will be held at a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., on October 2, 1962, at 10:00 a.m.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–9220; Filed, Sept. 14, 1962; 8:46 a.m.]

[Docket No. 20414] [1]

WESTATES PETROLEUM CO.

Order Redesignating Proceeding

SEPTEMBER 10, 1962.

On November 30, 1959, Hamilton Dome Oil Company, Ltd. (Hamilton Dome), tendered for filing a proposed increased rate for its jurisdictional sales of natural gas to El Paso Natural Gas Company from the Permian Basin Area, Lea County, New Mexico. Such filing was designated as Supplement No. 6 to Hamilton Dome's FPC Gas Rate Schedule No. 2, and was suspended by the Commission's order issued December 18, 1959, in Docket No. G–20414, until June 1, 1960, and thereafter until made effective in the manner prescribed by the Natural Gas Act.

On August 16, 1960, Westates Petroleum Company (Westates) submitted a notice of succession and certificate of merger dated December 29, 1959, to Hamilton Dome's FPC Gas Rate Schedule No. 2. The Commission, by letter dated April 11, 1961, advised Westates, inter alia, that such documents had been accepted for filing and on the basis thereof, Hamilton Dome's FPC Gas Rate Schedule No. 2 had been redesignated as Westates' FPC Gas Rate Schedule No. 2.

On June 17, 1960, Westates submitted a motion pursuant to section 4(e) of the National Gas Act requesting that Supplement No. 6 to its FPC Gas Rate Schedule No. 2, suspended by the Commission's aforementioned order issued December 18, 1959, be made effective as of June 1, 1960. With Westates motion to place its suspended increased rate in effect subject to refund, Westates also submitted its agreement and undertaking. On October 3, 1960, the Commission issued its notice of effectiveness allowing the increased rate contained in Supplement No. 6 to Westates' FPC Gas Rate Schedule No. 2 to become effective subject to refund as of June 17, 1960.

The Commission finds:

It is necessary and proper in carrying out the provisions of the Natural Gas Act that Westates Petroleum Company be substituted for Hamilton Dome Oil Company, Ltd., as Respondent in the above-designated proceeding, and that said proceeding be redesignated accordingly.

The Commission orders:

Westates Petroleum Company is hereby substituted for Hamilton Dome Oil Company, Ltd., in Docket No. G–20414, and said proceeding is hereby redesignated as Westates Petroleum Company.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–9218; Filed, Sept. 14, 1962; 8:45 a.m.]

OFFICE OF EMERGENCY PLANNING

IOWA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, Executive Order 10773 of July 1, 1958, and Executive Order 10782 of September 6, 1958 (18 F.R. 407, 22 F.R. 8799, 23 F.R. 5061, and 23 F.R. 6971); Reorganization Plan No. 1 of 1958, Public Law 85–763, and Public Law 87–296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter to me dated September 5, 1962, reading in part as follows:

I hereby determine the damage in the various areas of the State of Iowa, adversely affected by floods beginning on or about March 9, 1962, to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of Iowa to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 5, 1962:

The counties of:

Blackhawk.	Monona.
Cherokee.	O'Brien.
Clay.	Osceola.
Crawford.	Plymouth.
Dickinson.	Pocahontas.
Ida.	Sac.
Linn.	Sioux.
Lyon.	Woodbury.
Marshall.	

Dated: September 11, 1962.

EDWARD A. MCDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 62–9214; Filed, Sept. 14, 1962; 8:45 a.m.]

NEBRASKA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, Executive Order 10773 of July 1, 1958, and Executive Order 10782 of September 6, 1958 (18 F.R. 407, 22 F.R. 8799, 23 F.R. 5061, and 23 F.R. 6971); Reorganization Plan No. 1 of 1958, Public Law 85–763, and Public Law 87–296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter to me dated September 5, 1962, reading in part as follows:

I hereby determine the damage in the various areas of the State of Nebraska, adversely affected by floods beginning on or about June 6, 1962, to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of Nebraska to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 5, 1962:

The counties of:

Brown.	Keya Paha.
Cedar.	Knox.
Dixon.	Rock.

Dated: September 11, 1962.

EDWARD A. MCDERMOTT,
Director, Office of
Emergency Planning.

[F.R. Doc. 62–9215; Filed, Sept. 14, 1962; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–4597]

INDUSTRIAL ENTERPRISES, INC.

Order Summarily Suspending Trading

SEPTEMBER 11, 1962.

The common assessable stock, $1.00 par value, of Industrial Enterprises, Inc., being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2–2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction

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[2] The producers each applied for a certificate of public convenience and necessity authorizing the sale and delivery to Medina for resale of natural gas produced from certain acreage in Pennsylvania and Ohio.

[1] The proceeding in Docket No. G–20414 was consolidated with the Area Rate Proceedings in Docket No. AR61–1, et al., by the Commission's order issued December 23, 1960.

in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange:

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, September 12, 1962, through September 21, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 62-9229; Filed, Sept. 14, 1962; 8:48 a.m.]

[File No. 70-4062]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Notice of Proposed Redemption of Preferred Stock

SEPTEMBER 11, 1962.

Notice is hereby given that Public Service Company of Oklahoma ("Oklahoma"), 600 South Main Street, Tulsa 2, Oklahoma, a public-utility subsidiary company of Central and South West Corporation, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12(c) of the Act and Rule 42 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Oklahoma proposes to redeem on November 1, 1962, at the redemption price of $103.19 per share plus accrued dividends to said date, all of its 50,000 authorized and outstanding shares of 4.65 percent Preferred Stock, par value $100 per share. The 50,000 shares of 4.65 percent Preferred Stock so redeemed will be cancelled and retired and restored to the status of authorized but unallotted (unissued) shares. Prior to the redemption date, Oklahoma will deposit, irrevocably in trust with The First National Bank and Trust Company of Tulsa, Tulsa, Oklahoma, funds sufficient to redeem all said shares. Notice of intention to redeem said shares will be published in newspapers of general circulation in Tulsa, Oklahoma, Chicago, Illinois, and New York, New York, in accordance with the provisions of the company's Articles of Incorporation, as amended, and with the laws of the State of Oklahoma.

The declaration states that Oklahoma has available funds in short-term United States Government securities and temporary cash investments sufficient to redeem its 4.65 percent Preferred Stock and that the company deems advisable the use thereof, to the extent required ($5,159,500), to redeem said shares.

Fees and expenses expected to be incurred in connection with the proposed transaction are estimated at $2,000 as follows: transfer agent, $200; redemption agent, $200; system service company, $500 (allocated from annual retainer); counsel fees, $750 (allocated from annual retainer); and miscellaneous expenses, $350. The declaration states that no State and no Federal commision, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 27, 1962, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon declarant, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 62-9230; Filed, Sept. 14, 1962; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 395]

LOUISIANA

Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1962, because of the effects of certain disasters, damage resulted to residences and business property located in Cameron Parish in the State of Louisiana;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid Parish and areas adjacent thereto, suffered damage or destruction resulting from tornado, wind and accompanying conditions occurring on or about August 28, 1962.

OFFICES

Small Business Administration Regional Office, Fidelity Building,
1000 Main Street,
Dallas 2, Tex.

Small Business Administration Branch Office,
Federal Office Building, Room 303,
610 South Street,
New Orleans 12, La.

2. A temporary office will be established at Cameron, Louisiana, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1963.

Dated: August 31, 1962.

JOHN E. HORNE, *Administrator.*

[F.R. Doc. 62-9235; Filed, Sept. 14, 1962; 8:49 a.m.]

[Declaration of Disaster Area 396]

UTAH

Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1962, because of the effects of certain disasters, damage resulted to residences and business property located in Cache County in the State of Utah;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from earthquake and accompanying conditions occurring on or about August 30, 1962.

OFFICES

Small Business Administration Regional Office,
Railway Exchange Building,
909 17th Street,
Denver 2, Colo.

Small Business Administration Branch Office,
Kearns Building, Room 520,
136 South Main Street,
Salt Lake City, Utah.

2. A temporary office will be established at Logan, Utah, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1963.

Dated: August 31, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-9236; Filed, Sept. 14, 1962; 8:49 a.m.]

TARIFF COMMISSION

[AA1921—24]

SHEET GLASS FROM CZECHOSLOVAKIA

Notice of Hearing

Notice is hereby given that the United States Tariff Commission, on September 11, 1962, ordered a public hearing to be held in connection with the investigation instituted under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), with respect to glass, sheet, in jalousie louvre sizes, from Czechoslovakia. Notice of the institution of this investigation was published in the FEDERAL REGISTER on August 31, 1962 (27 F.R. 8751).

The hearing will be held in the Hearing Room, Tariff Commission Building, 8th and E Streets NW., Washington, D.C., at 10 a.m., e.d.s.t., on October 16, 1962. Interested parties desiring to appear and to be heard should notify the Secretary of the Commission, in writing, at least three days in advance of the date set for the hearing.

Issued: September 12, 1962.

By order of the Tariff Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 62-9231; Filed, Sept. 14, 1962; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Drouth Order 62, Amdt. 3]

MISSISSIPPI AND LOUISIANA

Authorizing Railroads To Transport Hay at Reduced Rates

In the matter of relief under section 22 of the Interstate Commerce Act.

It appearing that due to the drouth conditions existing in the State of Kentucky the Commission issued its Drouth Order No. 62 under section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport hay to the drouth area at reduced rates;

And it further appearing that the United States Department of Agriculture has requested the Commission to enter an order authorizing the same authority to certain counties in the State of Mississippi and parishes in the State of Louisiana.

It is ordered, That Drouth Order No. 62 as amended, be, and it is hereby further amended by adding thereto the following:

MISSISSIPPI

15 counties, viz:	Lincoln.
Claiborne.	Neshoba.
Clarke.	Newton.
Holmes.	Rankin.
Jasper.	Sunflower.
Kemper.	Warren.
Lauderdale.	Wayne.
Leake.	Yazoo.

LOUISIANA

19 parishes, viz:	Morehouse.
Allen.	Natchitoches.
Avoyelles.	Pointe Coupee.
Bienville.	Red River.
East Feliciana.	Sabine.
Evangeline.	St. Landry.
Franklin.	St. Martin.
Grant.	Vermillion.
Jackson.	Vernon.
Lafayette.	West Carroll.

It is further ordered, That in all other respects Drouth Order No. 62 as amended shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association—Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 11th day of September A.D. 1962.

By the Commission, Vice Chairman Walrath.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-9234; Filed, Sept. 14, 1962; 8:49 a.m.]

FOUTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 12, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37934: *Petroleum residual fuel oil to points in Wisconsin.* Filed by Western Trunk Line Committee, Agent (No. A-2272), for interested rail carriers. Rates on petroleum residual fuel oil, in tank-car loads, from specified points in Illinois and Indiana, to Chippewa Falls, Eau Claire, Marshfield, Stevens Points, and Wisconsin Rapids, Wis.

Grounds for relief: Market competition.

Tariffs: Supplement 16 to Western Trunk Line Committee tariff I.C.C. A-4354, and two other schedules named in the application.

FSA No. 37935: *Soda ash to Hillsboro and Lincoln, Ill.* Filed by Southwestern Freight Bureau, Agent (No. B-8255), for interested rail carriers. Rates on soda ash, other than modified soda ash, in carloads, from Lake Charles, La., Corpus Christi and Houston, Tex., to Hillsboro and Lincoln, Ill.

Grounds for relief: Market competition.

Tariffs: Supplements 50 and 109 to Southwestern Freight Bureau tariffs I.C.C. 4451 and 4370, respectively.

FSA No. 37936: *Soda ash to Crossett, Ark.* Filed by Southwestern Freight Bureau, Agent (No. B-8261), for interested rail carriers. Rates on soda ash, other than modified, in carloads, from specified points in Michigan, New York, and Ohio, also Saltville, Va., to Crossett, Ark.

Grounds for relief: Market competition.

Tariff: Supplement 58 to Southwestern Freight Bureau tariff I.C.C. 4406.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-9233; Filed, Sept. 14, 1962; 8:48 a.m.]

[Notice 693]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 12, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65089. By order of September 10, 1962, The Transfer Board approved the transfer to Stanley's Transfer Co., Inc., Jacksonville, N.C., of Certificate No. MC 123712, issued January 23, 1962, to Stanley E. Wainwright, doing business as Wainwright Transfer Company, Jacksonville, N.C., authorizing the transportation of: Household goods as defined by the Commission, (a) between points in North Carolina and South Carolina, and (b) between points in North Carolina and South Carolina, on the one hand, and, on the other, points in Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia. E. C. Brooks, Jr., P.O. Box 906, Durham, N.C., attorney for applicants.

No. MC-FC 65214. By order of September 10, 1962, The Transfer Board approved the transfer to Warren Moege,

doing business as Moege Truck Line, Wamego, Kans., of Certificates Nos. MC 39133 and MC 39133 Sub-3, issued January 30, 1950, and January 23, 1953, respectively to Oliver Anderson, Alma, Kans., authorizing the transportation of: Livestock, seeds, feeds, building and fencing materials, agricultural implements and parts, binder twine, windmills and parts, iron and steel tanks, baling wire, petroleum products in containers, fertilizers, home appliances, tires, tubes, and batteries, between Alma, Kans., and points within 15 and 20 miles thereof, except Manhattan, Kans., on the one hand, and, on the other, St. Joseph, Mo., Kansas City, and North Kansas City, Mo., and Kansas City, Kans.

No. MC–FC 65274. By order of September 10, 1962, The Transfer Board approved the transfer to Homestake Mining Company, a corporation, and United Nuclear Corporation, a limited partnership, doing business as Homestake-Sapin Partners, Grants, N. Mex., the operating rights in Certificate No. MC 119115 issued March 1, 1960, to Orco Corporation, Albuquerque, N. Mex., authorizing the transportation of caustic soda solution, in bulk, in tank vehicles, over irregular routes, from Henderson, Nev., to Grants, N. Mex., and points within 30 miles of Grants. O. Russell Jones, P.O. Box 1437, Santa Fe, N. Mex., attorney for applicants. Harry L. Bigbee, P.O. Box 669, Santa Fe, N. Mex., attorney for applicants.

No. MC–FC 65292. By order of September 10, 1962, The Transfer Board approved the transfer to Robert G. Wright, doing business as Star Valley-Jackson Stages, Idaho Falls, Idaho, of Certificate No. MC 123873, issued January 18, 1962, to Donald L. Zimmerman and Floyd C. Jones, a partnership, doing business as Salmon Short Line, Idaho Falls, Idaho, authorizing the transportation of: Passengers and their baggage, and express and newspapers, in the same vehicle with passengers, between Idaho Falls, Idaho, and Salmon, Idaho, serving all intermediate points, and the off-route points of Gilmore, Idaho; between Roberts, Idaho, and Idaho Falls, Idaho, serving all intermediate points, and between junction Idaho Highway 28 and unnumbered highway (known as Pole Line Road), and the site of the Atomic Energy Plant, serving all intermediate points. Reed L. Moss, 520 "D" Street, Idaho Falls, Idaho, attorney for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 62-9232; Filed, Sept. 14, 1962; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 561 (27 F.R. 4001) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.9) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Anniston Sportswear Corp., 919 West Ninth Street, Anninston, Ala.; effective 9–10–62 to 9–9–63 (men's dress trousers).

Ashland Shirt Corp., 2212 Center Street, Ashland, Pa.; effective 8–28–62 to 8–27–63 (sport and dress shirts).

Barnwell Garment Co., Inc., Erin, Tenn.; effective 8–29–62 to 8–28–63 (dusters).

Glamorise Foundations, Inc., 228 Pine Street, Williamsport, Pa.; effective 8–30–62 to 8–29–63 (brassieres, girdles, corselettes).

Greenwood Manufacturing Co., Inc., 331 Waller Avenue, Greenwood, S.C.; effective 9–3–62 to 9–2–63 (ladies' dresses, housecoats).

Kenchester Manufacturing Co., Inc., Buchanan, Va.; effective 8–27–62 to 8–26–63 (women's dresses).

M & H Dress Co., Washington Street, Jermyn, Pa.; effective 9–3–62 to 9–2–63 (ladies' dresses).

Meyersdale Manufacturing Co., Inc., Meyersdale, Pa.; effective 9–4–62 to 9–3–63 (men's shirts).

Petersburg Manufacturing Co., Petersburg, Tenn.; effective 8–29–62 to 8–28–63 (men's and boys' unlined jackets).

Southern Foundations, Inc., Alamo, Tenn.; effective 9–4–62 to 9–3–63 (foundation garments for women).

Tic Tac Co., Inc., Dicey Creek Road, Camden, S.C.; effective 8–30–62 to 8–29–63 (children's slacks, shirts, and coveralls).

Toccoa Garment Co., Inc., Big A Road, Toccoa, Ga.; effective 9–4–62 to 9–3–63 (ladies' blouses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Rita Barber Manufacturing Co., 518 Buttonwood Street, Abilene, Tex.; effective 9–4–62 to 9–3–63; three learners (burial dresses and negligees for women).

Bay Shore Togs, Locust Street, Keyport, N.J.; effective 9–5–62 to 9–4–63; five learners (men's and boys' robes, children's car coats and snowsuits).

Beebe Industries, Inc., North Holly Street, Beebe, Ark.; effective 8–27–62 to 8–26–63; 10 learners (women's sportswear, slacks, and shorts).

Green Bay Outerwear Co., 129 South Washington Street, Green Bay, Wisc.; effective 9–5–62 to 9–4–63; six learners (men's and boys' jackets).

Royal Fashions, Inc., 284 Main Street, Dupont, Pa.; effective 9–4–62 to 9–3–63; six learners (ladies' cotton dresses).

Wendell Garment Co., Inc., 91 North Pine Street, Wendell, N.C.; effective 9–5–62 to 9–4–63; 10 learners (men's knit sport shirts).

Whitakers Garment Co., Inc., Railroad Street, Whitakers, N.C.; effective 8–27–62 to 8–26–63; 10 learners (children's dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Barnwell Garment Co., Inc., Erin, Tenn.; effective 8–29–62 to 2–28–63; 150 learners (dusters).

County Wide Sewing Co., South Boulevard, Clinton, N.C.; effective 9–4–62 to 3–3–63; 25 learners (ladies' and children's carcoats).

Petersburg Manufacturing Co., Petersburg, Tenn.; effective 8–29–62 to 2–28–63; 150 learners (men's and boys' unlined jackets).

Sampson Sewing Co., Inc., Railroad Street, Clinton, N.C.; effective 9–4–62 to 3–3–63; 30 learners (children's carcoats and ladies' slacks).

Somerville Manufacturing Co., Inc., Somerville, Tenn.; effective 9–3–62 to 3–2–63; 40 learners (men's cotton and synthetic slacks).

Spruce Pine Manufacturing Co., Spruce Pine, N.C.; effective 9–13–62 to 3–12–63; 25 learners (men's and boys' dress shirts).

Levi Strauss and Co., Warsaw, Va.; effective 8–27–62 to 2–26–63; 25 learners (cotton work pants).

West Virginia Garment Co., 3305 Wetzel Street, Wheeling, W. Va.; effective 8–29–62 to 2–28–63; 30 learners (women's dresses).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Fox River Glove Co., Inc., West Fond Du Lac Street, Ripon, Wisc.; effective 8–29–62 to 8–28–63; one learner for normal labor turnover purposes (children's leather mittens).

Monte Glove Co., Inc., Shelbyville, Ind.; effective 8–28–62 to 8–27–63; 10 learners for normal labor turnover purposes (work gloves).

Proper Maid Silk Manufacturing Co., Inc., 6 Washington Street, Amsterdam, N.Y.; effective 9–4–62 to 9–3–63; 10 learners for normal labor turnover purposes (gloves—dress, woven, or knit).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

C. W. Anderson Hosiery Co., East Carolina Avenue, Clinton, S.C.; effective 9–4–62 to 9–3–63; five learners for normal labor turnover purposes (seamless, full-fashioned).

Auburn Hosiery Mills, Inc., Plant No. 2, Adairville, Ky.; effective 9–4–62 to 3–3–63; 10 learners for plant expansion purposes (seamless).

Diamond Mills Corp., High Point, N.C.; effective 9–3–62 to 9–2–63; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless, full-fashioned).

Portage Hosiery Co., Portage, Wisc.; effective 9–5–62 to 9–4–63; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Junior Form Lingerie Corp., Cairnbrook, Pa.; effective 9–1–62 to 8–31–63; 5 percent of the total number of factory production workers for normal labor turnover purposes (lingerie—slips, petticoats, gowns).

Malone Knitting Co., Inc., Factory Street, Wolfeboro, N.H.; effective 9–4–62 to 9–3–63; five learners for normal labor turnover purposes (infant's, and children's underwear).

Thomas Textile Co., Inc., Whitehall, Ga.; effective 8–29–62 to 8–28–63; 5 percent of the total number of factory production workers for normal labor turnover purposes (children's underwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

Mauston Manufacturing Co., 424 La Crosse Street, Mauston, Wisc.; effective 9–4–62 to 3–3–63; 40 learners for plant expansion purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rate of not less than $1.00 an hour (canvas covers for entrenching tools, ammunition, and canteens).

Regulations Applicable to the Employment of Student-workers (20 CFR 527.1 to 527.9).

Adelphian Academy, 820 Academy Road, Holly, Mich.; effective 9–1–62 to 8–31–63; authorizing the employment of 60 student-workers in the woodworking (trellises, bird houses, etc.) industry in the occupations of woodworking machine operator, assembler and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 240 hours at the rates of $1.00 an hour for the first 120 hours and $1.05 an hour for the remaining 120 hours.

Auburn Academy, Auburn, Wash.; effective 9–1–62 to 8–31–63; authorizing the employment of 90 student-workers in the furniture manufacture industry in the occupations of woodworking machine operator, assembler, furniture finisher, and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Campbellsville College, Campbellsville, Ky.; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) 15 student-workers in the furniture and novelty manufacturing industry in the occupations of woodworking machine operator, veneer machine operator, including glue reel worker, assembler, furniture finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours; (2) 15 student-workers in the metal fabricating industry in the occupations of machine tools operator, lathe operator, milling machine operator, drill press operator and related skilled and semiskilled occupations, for a learning period of 850 hours at the rates of $1.00 an hour for the first 425 hours and $1.05 an hour for the remaining 425 hours.

Campion Academy, Loveland, Colo.; effective 9–1–62 to 8–31–63; authorizing the employment of 40 student-workers in the broom manufacturing industry in the occupations of broom maker, stitcher, sorter, winder, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 hours and $1.05 an hour for the remaining 180 hours.

Cedar Lake Academy, Cedar Lake, Mich.; effective 9–1–62 to 8–31–63; authorizing the employment of 20 student-workers in the furniture manufacturing (redwood-outdoor) industry in the occupations of woodworking machine operator, assembler, and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Clear Creek Baptist School, Pineville, Ky.; effective 9–1–62 to 8–31–63; authorizing the employment of 20 student-workers in the church furniture manufacturing industry in the occupations of woodworking machine operator, assembler, furniture finisher and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Emmanuel Missionary College, Barrien Springs, Mich.; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) 60 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours; (2) 12 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learner period of 1000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours; (3) 90 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher and related skilled and semi-skilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours; (4) 5 student-workers in the clerical industry in the occupations of bookkeeper, stenographer and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.05 an hour for the remaining 240 hours.

Enterprise Academy, Enterprise, Kans.; effective 9–1–62 to 8–31–63; authorizing the employment of eight student-workers in the printing industry in the occupations of compositors, pressmen, line-type operator, bindery worker and related skilled and semiskilled occupations, for a learning period of 1000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours.

Forest Lake Academy, Mainland, Fla.; effective 9–1–62 to 8–31–63; authorizing the employment of 10 student-workers in the printing industry in the occupations of compositor, pressmen, bindery worker and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 1000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours.

Glendale Union Academy, 700 Kimlin Drive, Glendale, Calif.; effective 9–1–62 to 8–31–63; authorizing the employment of four student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learning period of 1000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours.

Grand Ledge Academy, Grand Ledge, Mich.; effective 9–1–62 to 8–31–63; authorizing the employment of 100 student-workers in the woodworking (lawn and garden furniture) industry in the occupations of woodworking machine operator, assembler, furniture finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Hawaiian Mission Academy, 1438 Pensacola Street, Honolulu, Hawaii; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) five student-workers in the printing industry in the occupations of compositor, pressman, bindery worker and related skilled and semiskilled occupations, for a learning period of 1000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours; (2) one student-worker in the clerical industry in the occupations of typist, bookkeeper and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.05 an hour for the remaining 240 hours.

Laurelwood Academy, Gaston, Oreg.; effective 9–1–62 to 8–31–63; authorizing the employment of 50 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Maplewood Academy, 700 North Main Street, Hutchinson, Minn.; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) 18 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours; (2) 17 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours; (3) 2 student-workers in the clerical industry in the occupations of typist, record-keeper and related skilled and semiskilled occupations in the office, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.05 an hour for the remaining 240 hours.

Nashville Agricultural and Normal Institute, Madison College, Madison, Tenn.; effective 9–1–62 to 8–31–63; authorizing the employment of 15 student-workers in the food manufacturing industry in the occupations of skilled and semiskilled occupations in food manufacturing including fireman and boiler room operator in steam plant, for a learning period of 300 hours at the rates of $1.00 an hour for the first 150 hours and $1.05 an hour for the remaining 150 hours.

Newbury Park Academy, 180 Academy Drive, Newbury Park, Calif.; effective 9–1–62 to 8–31–63; authorizing the employment of 25 student-workers in the broom and mop manufacturing industry in the occupations of broom maker, sorter, seeder, winder, stitcher, dyer, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 hours and $1.05 an hour for the remaining 180 hours.

Oak Park Academy, Nevada, Iowa; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) five student-workers in the printing industry in the occupations of compositor, pressman, and related skilled occupations including incidental clerical work in the shop, for a learning period of 1,000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours; (2) nine student-workers in the broom manufacturing industry in the occupations of broom maker, stitcher and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 hours and $1.05 an hour for the remaining 180 hours.

Ozark Academy, Gentry, Ark.; effective 9–1–62 to 8–31–63; authorizing the employment of 17 student-workers in the broom and mop manufacturing industry in the occupations of broom maker, stitcher, sorter, winder, painter, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 hours and $1.05 an hour for the remaining 180 hours.

Sandia View Academy, Academy Industries, Albuquerque, N. Mex.; effective 9–1–62 to 8–31–63; authorizing the employment of 25 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Shenandoah Valley Academy, New Market, Va.; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) 25 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker, sewer, trimmer, backer, cutter, casemaker, letterer and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaning 300 hours; (2) 10 student-workers in the broom and mop manufacturing industry in the occupations of broom maker, stitcher, seeder, sorter, winder, dyer, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 and $1.05 an hour for the remaining 180 hours.

Southern Missionary College, Collegedale, Tenn.; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) 80 student-workers in the bookbinding industry in the occupations of bookbinder, sewer, casemaker and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours; (2) 78 student-workers in the broom manufacturing industry in the occupations of winder, sorter, stitcher and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 hours and $1.05 an hour for the remaining 180 hours; (3) 20 student-workers in the clerical industry in the occupations of typist, filer, stenographer and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.05 an hour for the remaining 240 hours; (4) 49 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 1,000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours.

Southwestern Junior College, Keene, Tex., effective 9–1–62 to 8–31–63; authorizing the employment of: (1) six student-workers in the printing industry in the occupations of compositor, pressman, bindery worker, camera and plate room technician and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 for the remaining 500 hours; (2) two student-workers in the clerical industry in the occupations of typist, file clerk, bookkeeper, stenographer, timekeeper and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 and $1.05 an hour for the remaining 240 hours.

Thunderbird Academy, 13401 North Scottsdale Road, Scottsdale, Ariz.; effective 9–1–62 to 8–31–63; authorizing the employment of 85 student-workers in the woodworking (manufacturing furniture) industry in the occupations of woodworking machine operator, assembler, furniture finisher and related skilled and semiskilled occupations including incidental clerical work in shop, for a learning period of 400 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Union Springs Academy, Union Springs, N.Y.; effective 9–1–62 to 8–31–63; authorizing the employment of 25 student-workers in the broom manufacturing industry in the occupations of sorters, winders, stitchers, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.00 an hour for the first 180 hours and $1.05 an hour for the remaining 180 hours.

Upper Columbia Academy, Spangle, Wash.; effective 9–1–62 to 8–31–63; authorizing the employment of 62 student-workers in the furniture manufacturing industry in the occupations of woodworking machine, springer, sewer, trimmer, cutter, assembler, upholsterer, furniture finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

Walla Walla College, College Place, Wash.; effective 9–1–62 to 8–31–63; authorizing the employment of: (1) 10 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learning period of 1000 hours at the rates of $1.00 an hour for the first 500 hours and $1.05 an hour for the remaining 500 hours; (2) 30 student-workers in the bookbinding industry in the occupations of bookbinding, bindery worker and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.00 an hour for the first 300 hours and $1.05 an hour for the remaining 300 hours.

These student-worker certificates were issued upon the applicant's representations and supporting material fulfilling the statutory requirements for the issuance of such certificate, as interpreted and applied by Part 527.

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 7th day of September 1962.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 62–9227; Filed, Sept. 14, 1962; 8:47 a.m.]

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to 29 CFR 519.6 (c) and (g) providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

Region II

W. T. Grant Co. (#165), 544 Federal Street, Camden, N.J.; effective 8–22–62 to 8–21–63 (department store; 57 employees).

Region IV

Richbourg Brothers Markets, Inc., 700 Bleckley Street, Anderson, S.C.; effective 8–20–62 to 8–19–63 (food store; 23 employees).

Region VI

Field-Schlick, Inc., 14 West Fifth Street, St. Paul, Minn.; effective 8–22–62 to 8–21–63 (apparel store; 332 employees).

Region X

K. C. Super Market, Benton, Tenn.; effective 8–18–62 to 8–17–63 (food store; nine employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates below $1.00 an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below $1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

The J. S. Dillon & Sons Stores Co., Inc. (#46), 2900 Anderson-Highway 24, Manhattan, Kans.; effective 8–29–62 to 8–28–63; cashiers, clerks, meat cutters, carryout, wrappers, maintenance; between 7.6 percent and 10 percent (food store; 28 employees).

K–Mart, Garden Plaza, 29600 Ford Road, Garden City, Mich.; effective 8–21–62 to 8–20–63; sales clerk; 10 percent each month (variety store; 139 employees).

K–Mart (#4002), Tech Plaza Shopping Center, 29240 Van Dyke Avenue, Warren, Mich.; effective 8–21–62 to 8–20–63; sales clerk; 10 percent each month (variety store; 128 employees).

Kohl's Food Stores-Bradley, Inc., 7360 North 43d Street, Milwaukee, Wis.; effective 8–27–62 to 8–26–63; bag boys; between 9.7 percent and 10 percent (food store; 67 employees).

Kohl's Food Stores-Hampton, Inc., 2601 West Hampton Avenue, Milwaukee, Wis.; effective 8–27–62 to 8–26–63; bag boys; between 9.1 percent and 10 percent (food store; 65 employees).

Kohl's Food Stores-Cleveland, Inc., 10707 West Cleveland Avenue, Milwaukee, Wis.; effective 8–21–62 to 8–20–63; bag boys; between 8.3 percent and 10 percent (food store; 65 employees).

S. S. Kresge Co. (#745), 2820 Northwest 183d Street, Carol City, Fla.; effective 8–21–62 to 8–20–63; sales clerk; between 7.2 percent and 10 percent (variety store; 23 employees).

S. S. Kresge Co. (#364), 29134 Van Dyke, Warren, Mich.; effective 8–21–62 to 8–20–63; sales clerk; between 0 and 10 percent (variety store; 58 employees).

S. S. Kresge Co., 7851 Ridgewood Drive, Farma, Ohio; effective 8–21–62 to 8–20–63; sales clerk; 10 percent each month (variety store; 46 employees).

S. S. Kresge Co., 31 Bassett Center, El Paso, Tex.; effective 8–22–62 to 8–21–63; sales clerk; between 7.2 percent and 10 percent (variety store; 37 employees).

S. S. Kresge Co., 1606 Pasadena Plaza, 2004 Spencer Highway, Pasadena, Tex.; effective 8–22–62 to 8–21–63; sales clerk; between 5.8 percent and 10 percent (variety store; three employees).

Kwik Shop, Inc. (#73), 1714 West 23d Street, Lawrence, Kans.; effective 8–30–62 to 8–29–63; cashiers, clerks, meat cutters, carryout, wrappers, maintenance; between 7.6 percent and 10 percent (food store; seven employees).

Kwik Shop, Inc. (#71), 13th and Oliver, Wichita, Kans.; effective 8–30–62 to 8–29–63; cashiers, carryout, clerks, wrappers, meat cutters, maintenance; between 8.7 percent and 10 percent (food store; five employees).

G. C. Murphy Co. (#278), Pittman Plaza Shopping Center, 801 Lakeside Drive, Lynchburg, Va.; effective 8–22–62 to 8–21–63; stock clerk, sales clerk, clerk, janitor; between 1.9 percent and 10 percent (variety store; 86 employees).

G. C. Murphy Co. (#240), Roanoke-Salem Shopping Center, 4142–14 Melrose Avenue, Roanoke, Va.; effective 8–22–62 to 8–21–63; sales clerk, stock clerk, janitor, clerk; between 9.2 percent and 10 percent (variety store; 74 employees).

G. C. Murphy Co. (#156), 642 Jefferson Davis Highway, Woodbridge, Va.; effective 8–22–62 to 8–21–63; sales clerk; stock clerk; janitor; clerk; 10 percent each month (variety store; new store).

Newberry Missoula Corp., Brooks Street and Kensington, Missoula, Mont.; effective 8–22–62 to 8–21–63; sales clerk, stock clerk; between 3.5 percent and 10 percent (variety store; 54 employees).

Sterling's-Park, Inc., University Avenue and Markham, Little Rock, Ark.; effective 8–23–62 to 8–22–63; sales, stock clerks, janitorial; 10 percent each month (variety store; 25 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 7th day of September 1962.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 62–9228; Filed, Sept. 14, 1962; 8:48 a.m.]

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